श्री सभापति : आप मुझ पर विश्वास करिए मैं इसको देखूंगा। ...**(व्यवधान)**...

श्री लालू प्रसाद : महोदय, हम दूसरी बात कह रहे हैं। अहलुवालिया जी रैल में कैसे घुस गए। इनको कोई जानकारी नहीं है, बार-बार रैल में घुसकर पूछते रहते हैं। ...**(व्यवधान)**...

श्री सभापति : ये रैल में घुस गए तो कोई क्रेन मंगाने की आवश्यकता नहीं है। वे तो यों ही चले जाएंगे। Now, Calling Attention. Shri Sanjay Nirupam...*(Interruptions)*...

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

On the implementation of Conditional Access System and criteria for uplinking for foreign channels

श्री संजय निरुपम (महाराष्ट्र) : महोदय, मैं आपके माध्यम से सूचना और प्रसारण मंत्री का ध्यान कंडीशनल एक्सेस सिस्टम को लागू करने का फैसला और अपलिंकिंग के लिए फॉरेन चैनल का जो क्राइटेरिया है, उसकी ओर आकर्षित करता हूं।

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI RAVI SHANKAR PRASAD): Hon'ble Chairperson, Shri Sanjay Nirupam and other Members have drawn my attention to the implementation of Conditional Access System (CAS), and also the criteria for uplinking policy for foreign channels. Let me inform this hon'ble House about the decisions taken by the Government. I would like to make a brief statement on the issues raised by the hon. Members in their notices.

The genesis of this exercise lies in the fact that having mandated the Conditional Access System through an amendment in the Cable Television Networks (Regulation) Act, 1995, and the prevalent confusion and chaos and uncertainties regarding rates and lack of transparency in the system, it was necessary that the consumers be protected from this arbitrariness and a scientific rational approach be adopted for working out the rates of free-to-air channels in the basic service tier.

As the hon. Members are aware, the Government had set up a 'Task Force' comprising the various stakeholders like Cable Operators' Association, Multi-System Operators (MSOs), Broadcasters, Consumer

Electronics and T.V. Manufacturers' Association (CETMA) besides the Consumer Groups and Technical Experts to examine the various issues related to and oversee the implementation of the Conditional Access System (CAS) as provided under the Cable Television Networks (Regulation) Act, 1995.

The Cost Accounts Branch (CAB) of the Ministry of Finance was also requested to commission a study and the effort was to get a feedback from the cable operators on important issues. Several meetings were also held where they were invited to give their suggestions/comments. The C.A.B. had detailed discussions with the technical experts, including equipment manufacturers, Broadcast Engineering Consultants India Ltd. (BECIL), etc.

Pursuant to the recommendations of this Task Force, the Government, through a notification issued on 14th January, 2003, notified the introduction of C.A.S. with effect from 15th July, 2003, in the four metros, and through a notification issued on 7th May specified the minimum number of free-to-air channels to be included in the package of channels forming the basic service tier to be Rs.30 and the maximum amount which a cable operator can demand from a subscriber to be Rs.72. I may also point out that the few Multi System Operators have already assured that they will be able to show between 60 to 70 free-to-air channels within the maximum cost of Rs.72/-.

I. FOLLOW-UP ACTION BY THE MINISTRY

I would like to assure the hon. members that there has been no confusion in the implementation of C.A.S. On the contrary, the Government has taken a number of initiatives for its smooth implementation in the four metres. I would like to inform the House that the Government has been in constant and continuous dialogue with the representatives of stakeholders in the industry, *i.e.* manufacturers, broadcasters, MSOs and cable operators. The present state of preparedness indicated that adequate Set Top Boxes were not likely to be available by the deadline, *i.e.*, 15th July, 2003. Hence, the Government has deferred the implementation of the CAS to 1st September, 2003 and proposes to implement it in a phased zone-wise manner in the three metres of Delhi, Kolkata and Mumbai. As far as possible, these zones have been carved out with distinctive features in order

to provide minimum overlap of the services between zones of each city. As far as Chennai is concerned, based on the feed-back from the MSOs in Chennai, it has been decided to implement it at one go.

The intervening period will be used to step up preparedness, build up consumer awareness and enable the importation/manufacture of boxes in greater volumes.

The Ministry of Finance has also reduced the customs duty from 50.8 per cent to 5 per cent which has been extended until 30th September, 2003 through its Notification dated 29th July, 2003. It has been estimated that analogue Set Top Boxes would cost about Rs. 2,500/- and digital Set Top Boxes would cost between Rs. 2,700/- and Rs. 3,000/-. A few MSOs have also offered attractive introductory offers and easy affordable schemes through hire purchase, loan schemes, instalment basis, refundable deposit with a nominal daily rental, etc. As on 31.7.2003, 1,07,882 Set Top Boxes have been imported -- this is on the basis of the information given by the Customs Department. It is also expected that with the increasing demand and indigenous production and supply, the prices are likely to fall further. Steps are also being taken to ensure quality of the Set Top Boxes through random sample testing of the boxes of different manufacturers. Visits are being made to head-ends to assess the level of upgradation and preparedness. All this is aimed at making it consumer-friendly.

Now, I would like to discuss the criteria on uplinking policy for foreign channels.

II. UPLINKING POLICY

The uplinking policy has been gradually developing over a span of five years.

(i) In June 1998, the Cabinet, for the first time, permitted Indian satellite channels (with Indian equity not less than 80 per cent and effective management control in the hands of resident Indians) to uplink from India through VSNL only.

(ii) In March 1999, the Cabinet permitted all Indian companies (who were broadcasters and were as defined above) to uplink from India without being mandated to go through VSNL only.

(iii) In July 2000, the Cabinet approved the following:

(a) Setting up of hubs/teleports by companies incorporated in India with not more than 49 per cent foreign equity holding, including from NRI, OCB and PIO.

(b) Unlinking of all TV channels irrespective of ownership, equity structure or management control, which aimed at Indian viewer ship.

(c) Uplinking to Indian News Agencies accredited with PIB and whose 100 per cent ownership and management control was with Indians.

(iv) In the year 2002, there was a felt need that in influencing public opinion, television is, if not more, at least, as powerful as the print media. The views obtained in the first report of the Press Commission, on the subject of foreign nationals as owners of newspapers and periodicals, had continuing relevance for the broadcasting sector also. The Commission had observed that it would be highly desirable that proprietorial interest in newspapers should vest predominantly in Indian hands.

Taking note of such concerns, a note was taken to Cabinet in March, 2003 for considering imposition of restrictions on ownership and management control of TV channels, telecasting news and current affairs programmes, as it was felt that these concerns had not been adequately addressed in the existing policy on uplinking of TV channels from India. The arguments given in favour of restrictions were that a foreign owned and controlled TV news channel may exercise an unhealthy influence on our democratic processes to suit vested foreign interests and may pose a threat to our social and cultural value systems.

While the last concern was equally applicable to all the foreign content telecasting channels, other concerns were valid largely in respect of News and Current Affairs channels only. The potential for mischief against safety and security of the State was acknowledged to be more with a channel which is largely dedicated to News and Current Affairs' programmes than with other channels.

The Cabinet *vide* its decision of 18th March, 2003 *inter alia* approved foreign ownership/management control restrictions to be placed on channels having any element of News and Current Affairs' content and allowed to uplink from India. The guidelines, issued on 26th March, 2003, laid down the following eligibility criteria for a company uplinking News and Current Affairs channels including, *inter alia*, the following :

(a) To be registered/incorporated in India under the Companies Act, 1956.

(b) Foreign equity holding in the applicant company not to exceed 26 per cent of the total paid up capital.

(c) Majority of its Board of Directors to be Resident Indians.

(d) CEO of the applicant company, known by any designation, and/or Head of the channel to be Resident India.

(e) News Editor (s) or authority(ies) exercising editorial control over news and current affairs programme(s) of the channel(s) to be Resident Indians.

Throughout the evolution of the uplinking policy in stages, ownership and management control to vest in Indian hands has remained a prime concern. This was sought to be addressed categorically in March, 2003, particularly, in relation to News and Current Affairs' channels. Further, by an order of July 15, 2003, an inter-Ministerial Group has been set up to examine the foreign exchange norms/guidelines, particularly, relating to uplinking of news and current affairs channels. The case of one of the application seeking uplinking as per extant guidelines is under examination.

श्री सभापति : माननीय सदस्यगण, यह Calling Attention नोटिस है जिसके संबंध मे कई माननीय सदस्य मुझसे मिले हैं। जिन लोगों ने नोटिस दिया है, उनके अलावा भी कई

माननीय सदस्य इस संबंध में अपनी जानकारी सदन के सामने रखना चाहते हैं। यह चर्चा एक घंटे के निर्धारित समय में नहीं हो सकती इसलिए मैं इसके लिए दो घंटे का समय निश्चित करता हूं। माननीय सदस्यों से मेरी इतनी प्रार्थना है कि जो सबजैक्ट एक बार डिसकस हो जाए या कोई माननीय सदस्य बोले, उसको रिपीट न करे ताकि उसके आधार पर सब माननीय सदस्यों को अच्छी जानकारी भी मिले और सरकार भी उत्तर दे पाए । किन्तु मैं यह इस शर्त पर मंजूर कर रहा हूं कि आज के बिजिनेस में दो बिल हैं। सदन यह विश्वास दिलाए कि चाहे कितनी ही देर बैठना पड़े, इन दो बिलों को पास कराकर ही उठेंगे।

श्री संजय निरुपम : महोदय, देर रात तक बैठ कर इन्हें पास करा देंगे।

श्री सभापति : आप अकेले ही कह रहे हैं, बाकी लोग नहीं कह रहे हैं। लालू जी नहीं बोल रहे हैं। लालू जी, आप नहीं बैठेंगे?

श्री लालू प्रसाद (बिहार) : इस विषय पर सरोज दुबे जी बोलेंगी।

श्री सभापति : मैं बोलने की बात नहीं कर रहा, मैं तो बैठे रहने की बात कह रहा हूं।

श्री नीलोत्पल बसु (पश्चिमी बंगाल) : महोदय, जहां तक दो बिलों की बात है, बीएसी की मीटिंग में यह तय हुआ था कि आज हम सीवीसी क्लीयर करेंगे। लेकिन दूसरे बिल के बारे में...

श्री सभापति : वह तो छोटा सा बिल है।

श्री नीलोत्पल बसु : सर, इससे ज्यादा बोझ हो जाएगा।

श्री सभापति : एक घंटा और बैठ लेंगे, समस्या क्या है? कल हम जितना समय बैठे, उतने समय में बहुत काम हो गया। आज अगर पांच-दस मिनट और फर्क पड़ता है तो बैठ लेंगे।

श्री नीलोत्पल बसु : मेरे विचार से ज्यादा काम हो जाएगा।

श्री सभापति : आप मेरा कहना मान लीजिए, मैंने आपका कहना माना है, दोनों बिल आज पास कर दीजिए।

श्री संजय निरुपम : आदरणीय सभापति महोदय, मैं मंत्री महोदय के बयान पर दो हिस्सों में सवाल पूछूंगा क्योंकि बयान दो हिस्सों में है, क्योंकि कॉल अटैंशन भी दो हिस्सों में है। पहले हिस्से में मैं *कैस* पर सवाल पूछूंगा और दूसरे हिस्से में Up linking Policy की खामियों पर सवाल पूछूंगा। *कैस* पर मेरे पांच सवाल हैं। मंत्री महोदय ने कहा है कि *कैस* consumer friendly है। पिछले कई महीनों से ये यह राग अलाप रहे हैं कि कैस consumer friendly है, इससे केबल कन्ज्यूमर को फायदा होगा। मैं पूछना चाहता हूं कैसे? 72 रुपए में 70 चैनल देने

का प्रावधान कैस सिस्टम के अंतर्गत इन्होने किया है। कल जो मुम्बई मे मीटिंग हुई, उसके बाद जो रिपोर्ट आ रही है, मुझे ऐसा लग रहा है कि उसको भी मुलतवी करने का विचार आ रहा है। फिर भी मंत्री महोदय का जो बयान है, उसके आधार पर 72 रुपए मे 70 चैनल का प्रावधान है। इसके अतिरिक्त 30 रुपए Entertainment Tax और 8 प्रतिशत Service Tax है - कुल मिलाकर 110 रुपए कैस के अंदर हो जाता है। अगर इसमे पे चैनल को इन्क्लूड किया जाए तो उसके लिए आपको सेट टॉप बाक्स का रैंट जो हर केबल कन्ज्यूमर को देना पड़ेगा, यह 30 रुपए होगा। यानी 140 रुपए से कैस शुरू होता है। हमारे देश मे जितने पे चैनल हैं, उनका रेट क्या होगा, कितना होगा इस बारे मे आज तक सरकार खुलकर कुछ नही बता पायी है। ये पे चैनल वालों को बुला रहे हैं और साक्षात तौर पर उनके सामने घुटने टेक रहे हैं लेकिन आज तक पे चैनल वालों ने नहीं बताया है कि हम कितना रेट लेंगे।

श्री सभापति : घुटने टेकने की बात नही कहें तो ज्यादा अच्छा है।

श्री संजय निरुपम : महोदय, मैं अपनी बात वापस लेता हूं।

श्री सभापति : इसे मैं आपकी तरफ से वापस ले लेता हूं।

श्री संजय निरुपम : कैस जब देश में लाया गया था, जब कैस का विधेयक आया था, तब विचार यह था कि फ्री टू एयर चैनल को रेगूलेट नही करना है, पे चैनल को रेगूलेट करना है। लेकिन कैस इम्प्लीमेंटेशन के समय फ्री टू एयर चैनल को रेगूलेट कर दिया गया, आज तक पे चैनल को रेगूलेट नहीं किया गया है। बगैर पे चैनल के प्राइस तय किए, रेट तय किए, भाव तय किए कैस को इम्प्लीमेंट करने का क्या अर्थ है, यह मैं जानना चाहता हूं? जो ब्रॉडकॉस्टर्स का मूड इस समय है, पे चैनल वालो का जो मूड इस समय मुम्बई में है, दिल्ली में है, उस हिसाब से देखें तो अगर आठ पे चैनलों को इस समय सेट टॉप बॉक्स के जरिए अलाऊ किया जाता है तो लगभग 100 रुपए उसका किराया होगा। इस प्रकार 140 रुपए एवं 100 रुपए - दोनों मिलाकर 240 रुपए हो गया। आज दिल्ली और मुम्बई के जितने भी मध्यम वर्गीय इलाके हैं, उनमें औसतन केबल कन्ज्यूमर को जिस दर पर, जिस भाव पर केबल मिल रहा है यह सवा सौ से लेकर ढाई सौ के बीच है। सवा सौ से लेकर ढाई सौ के बीच इन केबल कन्ज्यूमर्स को बिना कैस के सौ चैनल मिल रहे हैं। एक बार कैस आ गया तो 70 जमा 8, यानी केवल 78 चैनल मिलेंगे। मुझे समझ में नहीं आता कि यह कैस सिस्टम कंज्यूमर फ्रेंडली कैसे हुआ? अगर आज आप सारे पे-चैनल्स लेने चले जाएं तो जो मैं एक जानकारी हासिल करने की कोशिश कर रहा हूं, उस हिसाब से सारे पे-चैनल्स, जो कि पैंतीस से चालीस के आस-पास इस समय हमारे देश मे हैं, अगर उनको उनके निर्णयों पर, भाव तय करने को छोड़ दिया जाए तो लगभग तीन सौ रुपए के आस-पास पे-चैनल्स का भाव निर्धारित होगा। अगर तीन सौ रुपए के आस-पास भाव तय होगा तो तीन सौ प्लस 140, यानी 440 रुपए मे हम कैस के बाद, केबल कंज्यूमर को केबल टी.वी. का दर्शन कराने जा रहे हैं। यह कज्यूमर फ्रेंडली कैसे हुआ? यह मेरा पहला प्रश्न है। मंत्री महोदय ने बताया कि पिछले कई महीनों मे या साल में, 1100 प्रतिशत पे-चैनल वालों ने अपना भाव बढ़ाया है। मैं मानता हूं कि यह सही हो सकता है। क्या वर्तमान कैस व्यवस्था में पे-चैनल को भाव बढ़ाने से रोकने का कोई प्रावधान है? हम फ्री-टू-एयर चेनल के भाव पर अपना

नियंत्रण स्थापित कर रहे हैं। 70चैनल, 30चैनल, 60 चैनल और 80 चैनल 72 रुपए मे है या नही है, इस तरह की बाते तो कर रहे हैं लेकिन पे-चैनल के बारे मे आज तक सरकार ने स्पष्ट भूमिका नही रखी है। सरकार यह कमिटमेंट भी नहीं दे पा रही है कि कैस लागू होने के बाद भी पे-चैनल का भाव निर्धारित किया जा सकेगा। मंत्री जी, पे-चैनल के बारे मे यह मेरा ... ।

(उपसभापति महोदया पीठासीन हुईं।)

पहला क्लेरिफिकेशन है। दूसरा क्लेरिफिकेशन है कि जो लोग कैस के समर्थक हैं उनके बारे मे कहा जाता है कि ये देशी लोग हैं, देशी चैनलों के समर्थक हैं, स्वदेशी की विचारधारा में विश्वास करते हैं। जो लोग कैस का विरोध करते हैं उन पर सीधे आरोप लगाया जाता है कि ये कैस का इसलिए विरोध कर रहे हैं कि क्योंकि ये विदेशी चैनलों के समर्थक हैं। ये स्वदेशी के विरोधी हैं। ऐसा प्रचार किया जा रहा है और कैस के बहाने देश मे इस प्रकार की मान्यता बना दी गई है। मेरा सवाल यह है कि सरकार की क्या मजबूरी है कि कैस लागू करने के लिए जो सेट-टॉप बाक्स चाहिए, वह सिर्फ विदेशी कम्पनियों से इम्पोर्ट कर रही है? सेट-टॉप बाक्स आयात करने के बहाने सरकार कितने हजार करोड़ रुपए विदेशी कम्पनियों की जेब में डालने जा रही है? यह मेरा सवाल है। मैंने एक सेट-टॉप बाक्स के बारे में थोड़ा हिसाब लगाने की कोशिश की है। एक सेट-टॉप बाक्स की औसतन कीमत तीन हजार रुपए है। हमारे यहां जो लैंडिंग प्राइज होगी या केबल कंज्यूमर तक उसकी जो कीमत जाएगी, वह तीन हजार के आस-पास है सबका, डिजिटल एनलाग का एवरेज निकालकर। यह तीन हजार के आस-पास जा रहा है। इस समय चार महानगरो में साठ लाख केबल कंज्यूमर हैं। अगर इन साठ लाख को हम इम्पोर्ट करके सेट-टॉप बाक्स सप्लाई करने जा रहे हैं तो कुल 1800 करोड़ रुपए का धन्धा, 1800 करोड़ रुपए का बिजिनेस हम विदेशी कम्पनियों को देने जा रहे हैं। मेरा मंत्री जी से यह पूछना है कि क्या यह स्वदेशी विचारधारा है? क्या इसी स्वदेशी विचारधारा के आधार पर आप विदेशी कम्पनियो को प्रमोट करने जा रहे हैं? पचपन प्रतिशत सेट-टॉप बाक्स पर ड्यूटी थी। सेट-टॉप बाक्स जल्दी इम्पोर्ट करना है, सस्ते में इम्पोर्ट करना है, केबल कंज्यूमर को सस्ते में देना है तो उसमें से पचास प्रतिशत ड्यूटी कम कर दी गई। सात हजार रुपए का सेट-टॉप बाक्स आज नई व्यवस्था में तीन हजार रुपए में उपलब्ध होने की स्थिति में है, यानी चार हजार रुपए का नुकसान। इस नुकसान को मैंने काउन्ट करने की कोशिश की है। अगर पचास प्रतिशत ड्यूटी कम कर दी जाए तो साठ लाख केबल कंज्यूमर के लिए सेट-टॉप बाक्स इम्पोर्ट किया जा रहा है, आप तीस लाख भी बोल सकते हैं, पन्द्रह लाख भी बोल सकते हैं। लेकिन जो सारे केबल कंज्यूमर हैं उस हिसाब से मैं आंकड़े निकालने की कोशिश कर रहा हूं। अगर चार हजार रुपए के हिसाब से साठ लाख सेट-टॉप बाक्स यहां पर आते हैं तो 2400 करोड़ रुपए का राजस्व का घाटा भारत सरकार को हो रहा है। फाइनेंस मिनिस्ट्री के जिस डिसिजन, गाइडलाइन के बारे में आपने बताया है, उस हिसाब से भारत सरकार को रेवेन्यू लॉस 2400 करोड़ रुपए का होने जा रहा है। क्या सरकार ने सोचा है कि विदेशी कम्पनियो को लाभ पहुंचाने के लिए हम कितना बड़ा नुकसान झेलने जा रहे हैं? क्या यह स्वदेशी है? इस स्वदेशी का सबूत देने के लिए मैं मंत्री महोदय को आपकी अनुमति से यह सेट-टॉप बाक्स दिखाने के लिए लेकर आया हूं। यह एक सेट-टॉप बाक्स है। ...**(व्यवधान)**...

उपसभापति : ऐसे सेट-टॉप बाक्स हाउस में नही लाते हैं।

श्री संजय निरुपम : मैं सिर्फ आपकी अनुमति से दिखा रहा हूं।

उपसभापति : मैंने आपको अभी अनुमति नहीं दी है।

श्री संजय निरुपम : मैं इसे सभा पटल पर रख देता हूं। मैं सिर्फ यह बताना चाहता हूं कि इस पर लिखा हुआ है मेड इन कोरिया।

THE DEPUTY CHAIRMAN: It should not be done. संजय जी, अगर आप अनुमति लेते तो हम आपको अनुमति दे देते। हमें इस पर कोई आपत्ति नही है।

श्री संजय निरुपम : मैंने आपकी अनुमति मांगकर ही इसे उठाया है।

उपसभापति : आपको पहले मांगनी चाहिए थी ...**(व्यवधान)**...

श्री संजय निरुपम : अगर अभी भी अनुमति है तो मैं बताऊं यह जो सेट टॉप बाक्स है। ...**(व्यवधान)**...

उपसभापति :सेट टॉप बाक्स से क्या फर्क पड़ता है? आप कोई भी डिब्बा लाकर दिखा देंगे, हम एग्जामिन थोड़ा ही कर रहे हैं।

श्री संजय निरुपम : इतना बड़ा आरोप मत लगाइए, यह सेट टॉप बॉक्स ही है जिसे हमारे केबल कंज्यूमर्स को बेचने की बात की जा रही है।

उपसभापति : सेट टॉप बॉक्स रख दीजिए।

श्री संजय निरुपम : ये सारे के सारे सेट टॉप बॉक्स विदेशी कंपनियों द्वारा बनाए गए है। दुनिया मे हजारो कंपनियां हैं जो ये सेट टॉप बॉक्स बना सकती हैं।

श्री लालू प्रसाद : कहां का बना हुआ है?

श्री संजय निरुपम : मैंने बताया न मेड इन कोरिया।

उपसभापति : मैंने आपको कहा है कि इसे रख दीजिए तो रख दीजिए। आप चेयर का कहना मानते हैं या हाउस का कहना मानते हैं?

श्री संजय निरुपम : चेयर का कहना मानता हूं।

उपसभापति : ठीक है, मान लीजिए। आपको उसके बारे मे जो बोलना है, बोल लीजिए।

श्री संजय निरुपम : उपसभापति जी, मेरा यह कहना है कि इस समय हमारे देश मे सेट टॉप बॉक्स इम्पोर्ट किए जाने का जो कार्यक्रम चल रहा है, उसमे सिर्फ दो देशो में बनने वाली कंपनियो के सेट टॉप बॉक्स हैं। हालांकि इस दुनिया में हज़ारो कंपनियां सेट टॉप बॉक्स बनाती हैं फिर भी इन्ही दो कंपनियो के सेट टॉप बॉक्स क्यो इम्पोर्ट किए जा रहे हैं, यह मैं आगे चलकर एक्सप्लेन करने की कोशिश करूंगा। माननीय मंत्री जी से मेरा तीसरा स्पष्टीकरण सेट टॉप बॉक्स की टेक्नोलॉजी से जुड़ा है। ये जो सेट टॉप बॉक्स हम केबल कंज्यूमर्स के घर मे लगाएंगे, केबल टी.वी. के साथ, अपने टेजीविजन सैट के साथ लगाएंगे, इनको ऑपरेट करने के लिए, चलाने के लिए एक कम्प्यूटर हार्डवेयर आएगा। दुनिया मे हार्डवेयर बनाने वाली सिर्फ पांच कंपनियां हैं। उनमे से एक स्टार टी.वी. के मरडॉक साहब की भी है। आस्ट्रेलियन कंपनी है, चाइनीज कंपनी है, अमेरिकन कंपनी भी है, इस तरह से पांच कंपनियां हैं। इन कंपनियो की कमाण्ड को समझने वाले जो सेट टॉप बॉक्स हैं सिर्फ वही सेट टॉप बॉक्स इम्पोर्ट किए जा रहे हैं। हमारा ऐतराज इस पर है। हमे बार-बार कहा जाता है कि हम कैस विरोधी हैं, हम कैस विरोधी नही हैं लेकिन कैस के नाम पर विदेशी कंपनियों की जो दुकान लगाई जा रही है, उनका जो धंधा बढ़ाया जा रहा है हम उसका विरोध करने जा रहे हैं। ये जो पांच कंपनियां हैं, जो कम्प्यूटर हार्डवेयर बनाती हैं, जो हेड एण्ड प्ले केबल ऑपरेटर के कंट्रोल रूम मे लगेगा, इन पांचो कंपनियो की पूरी दुनिया मे अपनी एक मोनोपोली है। सरकार ने उस मोनोपोली को...**(व्यवधान)**... मैं आगे बताता हूं...**(व्यवधान)**...

श्री नीलोत्पल बसु : कार्टेल है।

श्री संजय निरुपम : उसको कार्टेल बोलेगे। मेरा सवाल यह है कि प्रोप्राइटी कैस लाने की क्या जरूरत है? आप ओपन कैस क्यो नही लाते हैं? आप ऐसा कैस क्यो नही लाते कि पब्लिक कहीं से भी मार्किट मे सेट टॉप बाक्स जाकर खरीदे। क्या मजबूरी है कि एम.एस.ओ. ही उसे इम्पोर्ट करे, सप्लाई करे और केबल कन्ज्यूमर्स से पैसे ले? यह मेरा सेट टॉप बॉक्स का टेक्नोलॉजी से जुड़ा हुआ एक सवाल है। अगर ओपन कैस आता है तो इस देश मे बनाने वाली कितनी कंपनियां हैं? दो-तीन कंपनियो के बारे मे तो मैं भी जानता हूं। क्या मंत्री जी को मालूम है कि आपके देश मे, हमारे देश मे आई.आई.टी. सेट टॉप बॉक्स की मैनुफैक्चरिग कर रही है, बना रही है? क्या आपको मालूम है कि हमारे देश मे बंगलौर की एक और बडी कंपनी बड़े पैमाने पर सेट टॉप बॉक्स मैनुफैक्चर कर रही है? सकुरा नाम से एक सेट टॉप बॉक्स की ब्राण्ड है, जो मुंबई बेस्ड कंपनी है, ये लोग बना रहे हैं। ये सेट टॉप बॉक्स हिदुस्तानी हैं लेकिन आज अगर ये बॉक्सेज केबल कन्ज्यूमर्स के पास लगाना भी चाहे तो उसका कोई उपयोग नही है क्योकि इसके लिए जो स्मार्ट कार्ड है, उसकी जो रॉयल्टी है, वह इन हार्डवेयर बनाने वाली कंपनियो को देनी पड़ती है। हार्डवेयर बनाने वाली कंपनियो का जो हार्डवेयर है वह उसके साथ ही मैच करता है। कोई भी सेट टॉप बॉक्स लगाया जाए तो केबल ऑपरेटर उसे कंट्रोल नही कर सकता, उसे चला नही सकता। मंत्री महोदय, हमारा विरोध का आधार यह है कि देश मे जो बॉक्सेज उपलब्ध हैं उन्हे क्यो नही खरीदा जा रहा है? आप इसलिए नही खरीद रहे हैं क्योकि

ओपन सोर्स कैस नही है। आप ओपन कैस नहीं लाना चाह रहे हैं। आपको अलग-अलग टास्क फोर्स की मीटिंग्स मे इस तरह के सुझाव दिए गए कि आप ओपन कैस लाइए लेकिन एम.एस.ओ. ओपन कैस नहीं चाहता क्योकि एम.एस.ओ. को विदेशी कंपनियो का धंधा बढ़ाना है। अगर एक बार यह बोल दे कि ओपन कैस लेकर आएंगे तो देखिएगा कि एम.एस.ओ. इनके दरवाजे पर आकर खड़े हो जाएंगे कि साहब ओपन कैस मत लेकर आइए। "कन्ज्यूमर फ्रेंडली स्वदेशी" के नाम पर जो विदेशियो का धंधा बढ़ाया जा रहा है, मैं यहां पर उसका विरोध करने के लिए खडा हुआ हूं।

पिछले हफ्ते जो क्वेश्चन ऑवर था उसमे मैंने सुरक्षा से जुड़ा एक प्रश्न पूछा था। जो विदेशी सेट टॉप बॉक्स आ रहे हैं क्या उनका सोर्स कोड हमारी इंटेलिजेंस एजेंसियो को मालूम है? क्या आई.बी. से या किसी भी प्रकार का सिक्योरिटी क्लियरेंस इस नई व्यवस्था के लिए लिया गया है? मैडम, अभी तक यह केबल नेटवर्क था। कैस आने के बाद कंट्रोल रूम मे एक हार्डवेयर लगने के बाद, उस हार्डवेयर को सेट टॉप बॉक्स से कनेक्ट करने के बाद एक नया टेलीकॉम नेटवर्क बन जाएगा। उस टेलीकॉम नेटवर्क से इस देश में एक अलग किस्म का जो टेली कम्युनिकेशन नेटवर्क होगा, इस नेटवर्क से कब, कौन सी इन्फोर्मेशन कौन भेज रहा है, क्या भेज रहा है, इस पर हमारा कोई नियंत्रण नहीं होगा। इस पर नियंत्रण होना चाहिए। यह देश की सुरक्षा के हित मे है। देश की सुरक्षा के हित में नियंत्रण रखने वाली जो संस्थाएं हैं उन संस्थाओ को क्या इन हार्डवेयर कंपनियो के स्मार्ट कार्ड्स के सोर्स कोड मालूम हैं? मैंने मंत्री जी से उस दिन भी पूछा था, उन्होने कहा था कि मैं बाद मे बताऊंगा, मैंने अभी ध्यान नहीं दिया है, पिछले एक हफ्ते मे अगर आपने ध्यान दिया है तो बताने की कृपा करे। आज की व्यवस्था मे केबल आपरेटर किसी भी चैनल का प्रसारण रोक सकता है। आज हमारे देश मे जो सिस्टम है उसमें केबल आपरेटर जब चाहे जो चैनल रोक दे। पाकिस्तान टी.वी. का प्रसारण नहीं होना चाहिए, पीटीवी का प्रसारण नही होना चाहिए, एक बार यह सरकार तय करे तो मुंबई और दिल्ली मे बैठे केबल आपरेटर रोक सकते हैं। लेकिन कैस आने के बाद केबल आपरेटर के हाथ मे कुछ भी नही रहेगा। तब ब्रॉडकास्टर, एमएसओ, सेट टॉप बॉक्स और कंज्यूमर के बीच में एक सीधा रिश्ता बनेगा। ऐसी स्थिति मे उस चैनल पर क्या दिखाया जा रहा है, क्या नही दिखाया जा रहा है, उसकी रोकथाम करने, उस पर प्रतिबंध लगाने का कोई इंतजाम नही दिख रहा है। हो सकता है कल को ब्लू फिल्म दिखाई जाए और जब वह दिखाई जा चुकी होगी तब आपको पता चलेगा और तब आप एक्शन लेगे। हो सकता है भारतीय हितो के खिलाफ दुष्प्रचार करने वाला कोई समाचार दिखाया जा रहा हो, उस समय आप यह रोक नहीं पायेंगे। आप तब रोकेगे जब पूरा प्रसारण हो जाएगा। तब आपको समझ मे आएगा। तब हो सकता है ब्रॉडकास्टर के खिलाफ, एमएसओ के खिलाफ आप एक्शन लेते रहे, लेकिन उस प्रसारण को केबल आपरेटर तो कम से कम रोक नही पाएगा। एक प्रकार की निरंकुशता पैदा हो सकती है। महोदया, मेरा आखिरी सवाल केबल आपरेटर्ज के भविष्य से जुड़ा हुआ है। कैस के आने से केबल आपरेटर्ज का भविष्य असुरक्षित होने जा रहा है। देश मे इस समय लगभग एक लाख केबल आपरेटर्ज हैं। उनके पार्टनर्ज, उनके सहयोगियो को अगर जोड़ कर चले तो लगभग 15 लाख लोग केबल उद्योग से जुड़े हुए हैं। अगर उन 15 लाख लोगो के आश्रितो की संख्या भी निकाली जाए तो 60 लाख लोगो की रोजी-रोटी इस केबल उद्योग से चलती है। कैस आने के बाद, सेट टॉप बॉक्स के जरिए, एमएसओ और केबल कंज्यूमर के बीच एक सीधा रिश्ता आएगा। केबल आपरेटर की

निर्भरता खत्म हो जाएगी। इसके बाद धीरे-धीरे ये सभी केबल आपरेटर्ज बेरोज़गार हो जायेंगे। जब ये बेरोजगार हो जायेंगे, तो एमएसओ की मोनोपली स्थापित हो जाएगी। उनकी बेरोजगारी के बाद जब विस्फोट होगा, तब पता चलेगा। ये कौन से बच्चे हैं? 1990 के आस-पास हमारे देश मे केबल का धंधा शुरू हुआ। ये सारे कम पढ़े-लिखे लड़के एग्रैसिव इंटरप्राइजिंग थे। इनके पास कोई धंधा, कोई रोज़गार नहीं था। आप सारे शहरो मे देख लीजिए, पटना से लेकर रायपुर और मुंबई से लेकर दिल्ली तक देख लीजिए, सारे बच्चे जो बेरोजगार थे, बहुत पढ़े-लिखे नहीं थे, दिशाहीन थे, उन सब को केबल उद्योग के जरिए एक धंधा मिला, एक बिजनैस मिला। कैस के जरिए केबल उद्योग से जुड़े इन नौजवानो को बेरोज़गारी झेलनी पड़ सकती है, यह मेरी आशंका है। इस आशंका के कारण मैं आपसे पूछ रहा हूं कि केबल उद्योग से जुड़े सारे के सारे केबल आपरेटर्ज के भविष्य को सुरक्षित करने की आप क्या गारंटी देते हैं? हमारे देश मे जो केबल टी.वी. नेटवर्क आया, उसके बाद जो संशोधन विधेयक आया, उसका उद्देश्य सुषमा जी ने यहां पर बताया था कि केबल इंडस्ट्री को रेगुलेट करने के लिए यह आ रहा है। लेकिन आज कैस लागू करते समय इसके खतरो और आशंकाओ को जो हम भांप रहे हैं उससे ऐसा लग रहा है कि आप यह पूरी की पूरी व्यवस्था, पूरा का पूरा बिल, पूरा का पूरा कानून, केबल इंडस्ट्री को नष्ट करने के लिए लेकर आए हैं। कृपया, इस केबल इंडस्ट्री को नष्ट करने की दिशा मे कोई कदम न उठाया जाए, यह मेरा आखिरी निवेदन होगा। अब मैं अपलिंकिंग के बारे मे चार-पांच छोटे-छोटे सवाल पूछना चाहता हूं। 26 मार्च, 2003 को आप एक नई अपलिंकिंग पालिसी ले कर आते हैं। मुख्य बात यह है कि किसी भी समाचार चैनल मे 26 प्रतिशत से ज्यादा विदेशी भागीदारी नही होनी चाहिए। 74 प्रतिशत शेयर होल्डिग हिन्दुस्तानियो के पास होनी चाहिए। एडिटर, रिपोर्टर चैनल के प्रमुख जो पदाधिकारी होगे वे सारे के सारे भारतीय हो. इसके पीछे जो विचार था यह निश्चित तौर पर एक स्वदेशी विचार था, जिसका मैं स्वागत और समर्थन करता हूं। देश हित मे सोचने के लिए सरकार ने जो एक नई अपलिंकिंग पालिसी 26 मार्च को घोषित की, उसके लिए मैं सरकार को बधाई भी देता हूं। लेकिन आगे क्या हुआ? 26 मार्च को नई अपलिंकिंग पालिसी आती है और उसके पांच दिन बाद, अप्रैल के पहले हफ्ते मे एक या दो, तीन अप्रैल को देश मे एक नया समाचार चैनल आता है, जिसका मालिक एक विदेशी होता है। एक नई अपलिंकिंग पालिसी के बावजूद यह चैनल शुरू हो जाता है। यह चैनल "स्टार न्यूज" है और उसके मालिक अमेरिकन नागरिक रुपर्ट मर्डोक है। उस अपलिंकिंग पालिसी के संदर्भ मे मेरा पहला प्रश्न यही है कि जब 26 मार्च को आप अपलिंकिंग पालिसी लेकर आ गए और उसके बाद जब एक नया विदेशी समाचार चैनल आ रहा है तो आपने उसी समय उनको क्यो नही रोका? इस अमेरिकी नागरिक को नया समाचार चैनल शुरू करते समय तभी क्यो नही रोका गया? आप उन्हे कह सकते थे कि पहले 74 फीसदी की जो फॉरेन इक्विटी है उसको डाइल्यूट करिए, फिर हम अपने देश की भूमि से अपलिंक करने की अनुमति देगे। तब क्यो चुप्पी साध ली गई, तब क्यो उनको अनुमति दी गई? उस समय तीन महीने की मोहलत दी गई कि तीन महीने के अंदर आप अपना जो आपका हण्ड्रेड परसेट कंट्रोल है उसको 74 परसेट भारतीयो के हवाले कर दीजिए। आपने तीन महीने की मोहलत दी, लेकिन तीन महीने की मोहलत के बाद क्या हुआ? लगभग 26 जून को वह तीन महीने की मोहलत खत्म होती है, लेकिन स्टार न्यूज यानि माननीय रूपर्ट मर्डोक जी एक नई कंपनी लेकर सरकार के पास जाते हैं और उस कंपनी का नाम है एमसीसीएस, जो मान लो 26 जून के आसपास लेकर आते हैं। उस एमसीसीएस कंपनी के सारे पैपर्स पढ़ने के बाद एक आम आदमी भी समझ सकता है कि यह स्टार कंपनी की, स्टार न्यूज की या रूपर्ट मर्डोक जी की

जो होल्डिंग कंपनी है उसकी एक फ्रंट कंपनी जैसी है। उसके सारे नाम वगैरह मेरे पास हैं कि ये कौन-कौन से लोग हैं, कौन-कौन हिन्दुस्तान के लोग उसमें शामिल हुए हैं, कितना परसेंट किसका है, इसके बाद बिरला ने क्या बोला, कैसे किसका 30 परसेंट हुआ, कौन-कौन से लोग हैं, उनका किन-किन से क्या संबंध है। मैं इसमें व्यक्तिगत स्तर पर नहीं जाना चाह रहा। ...**(व्यवधान)**... इसे आप शैल कंपनी या कागजी कंपनी, जो भी कह लीजिए। इस कागजी कंपनी को पहचानने में सरकार अभी तक कोई ठोस निर्णय नहीं ले पाई।

मैडम, मंत्री महोदय ने उस दिन प्रश्नोकाल में बताया कि 600 पेज के उनके सारे पेपर हैं, इसलिए उसमें टाइम लगेगा। पूरी की पूरी आई0 एंड बी0 मिनिस्ट्री एमसीसीएस की जो 600 पेज का डाक्यूमेंट है उसको पढ़ने में 40 दिन से ज्यादा लगा चुकी है। इन 40 दिनों में क्या हुआ, मैडम। एक ऐसी कंपनी जो अपलिंकिंग पोलिसी को डायरेक्ट वायोलेट कर रही है, उसका उल्लंघन कर रही है, उस कंपनी के बारे में जैसे ही महसूस हुआ कि इस कंपनी की एक शैल कंपनी आ रही है तो उस कंपनी की अपलिंकिंग परमीशन को रोक देना चाहिए था। नहीं रोका गया। एक हफ्ते के लिए अपलिंकिंग परमीशन दे दी गई, फिर एक हफ्ते के लिए दिया गया, फिर एक हफ्ते के लिए दिया गया और उसके बाद उनको एक महीने का टाइम दिया गया कि भाई, आप कोर्ट में जाओ, कोर्ट से स्टे वगैरह लेकर आ जाओ। जब तक सरकार ने सोचा कि अपलिंकिंग परमीशन कैन्सिल कर दी जाए तब तक मुम्बई हाईकोर्ट से स्टार न्यूज एक स्टे लेकर आ गई। आज इस देश में सरकार के पास एक स्पष्ट अपलिंकिंग पोलिसी होने के बावजूद स्टार न्यूज पूरी तरह से आपकी इस अपलिंकिंग पोलिसी का उल्लंघन कर रही है और आप उसकी अपलिंकिंग को रोक नहीं पा रहे हैं। यह इस समय ताजा स्थिति है।

मैडम, आप स्वदेशी की बात कर रहे हैं। मैं इनसे पूछना चाहता हूँ कि एक विदेशी आपकी अपनी अपलिंकिंग पोलिसी का पूरा मखौल उड़ा रहा है और सरकार हाथ पर हाथ धरे बैठी है। क्यों? हाईकोर्ट में जो इन्होंने एफिडेविट दिया था, उसका आज आखिरी दिन है। दो हफ्ते के लिए मोहलत मांगी थी कि दो हफ्ते के अंदर हम अपना डिसीजन लेंगे। कोर्ट ने इनको बोला जब तक आप साफ साफ शब्दों में हमें नहीं बताएंगे, तब तक आप अपलिंकिंग मत रोकिएगा। आज आखिरी दिन है और आज आखिरी दिन तक आपने क्या फैसला लिया, मुझे मालूम नहीं। अगर आप मुझे बताएंगे कि कोर्ट में क्या एफिडेविट दिया गया तो बड़ी मेहरबानी होगी।

मैडम, एक दो क्वैश्चन मेरे और हैं। अब एमसीसीएस और स्टार की भी अपलिंकिंग पोलिसी है। अपलिंकिंग पोलिसी की आत्मा क्या है? कि एडीटोरियल कंट्रोल भारतीयों के पास होना चाहिए। इस कंपनी ने, रूपर्ट मर्डोक की जो कंपनी है एसआईपीएल यानि स्टार इंडिया प्रोडक्शन लिमिटेड कंपनी जो है, उस कंपनी ने एमसीसीएस से एक एग्रीमेंट किया, लाइसेंसिंग एग्रीमेंट, शेयर होल्डिंग एग्रीमेंट, उस एग्रीमेंट में क्या लिखा हुआ है, उसका सिर्फ एक अनुच्छेद पढ़कर मैं सुनाना चाहूंगा। इसके अनुच्छेद 7 में लिखा हुआ है - "The licensee shall strictly adhere to the editorial policies and, accordingly, shall not change or amend or deviate from the editorial policies without prior written consensus of the licensor". लाइसेंसी यानि एमसीसीएस और लाइसेंसर यानि स्टार की कंपनी, रूपर्ट मर्डोक की

कंपनी। अब एमसीसीएस आपको जो 74 प्रतिशत भागीदारी दिखाने का प्रयास कर रहा है, यह कहा जा रहा है कि तुमने हिन्दुस्तान मे स्टार न्यूज के माध्यम से जो कुछ भी दिखाना है उस पर एडीटोरियल फैसला सभी मर्डोक साहब करेगे और उनसे पूछे बगैर कोई परिवर्तन मत करना। अब बताइए, अपलिकिंग पोलिसी का अर्थ क्या है? यह क्या लाइसेंसी एग्रीमेंट आपके पास नहीं है? अब एमसीसीएस का जो प्रपोजल आया, जो सीसीएस मे चर्चा हुई, उसमे एक लाख रुपए की पेडअप कैपिटल बताई गई, उसके बाद चार करोड़ रुपए। एक समाचार चैनल को चलाने में प्रतिमाह कम से कम पांच करोड़ रुपए तो आपरेशनल खर्च है, ट्रांसपोडर का खर्च अलग होगा, बाकी बाते हैं, एडवर्टाइजमेंट कर रहे हैं वह तो बाद की बात है। यह पांच करोड़ रुपए प्रति माह खर्च होता है यानि एक साल मे 60 करोड़ रुपए का खर्चा होगा। इतना बड़ा आपरेशनल खर्च उठाने के लिए एक कंपनी कहती है कि हम चार करोड़ रुपए मे पूरी कंपनी चला लेंगे। सरकार चुप है। यह बड़े स्पष्ट ढंग से दिख रहा है कि कैसे स्टार टी.वी. वाले हमको मूर्ख बना रहे हैं, फिर भी सरकार बोल रही है कि हम अध्ययन कर रहे हैं। सरकार ने आज तक स्टार टी.वी. वालो से नही पूछा कि पिछले तीन महीने मे स्टार टी.वी. जिस तरह से देश मे चला, उसमे इन्वेस्टमेंट कहां से आया? शुरुआत मे जो कैपिटल इन्वेस्टमेंट हुआ उसमे लगभग 200 करोड़ रुपए लगे हैं पूरा उनका इन्फ्रास्ट्रक्चर तैयार करने पर। 21 जगह तो ब्यूरो हैं उनके। कितने स्टूडियोज हैं, कितना स्टाफ है, लगभग 187 से ज्यादा स्पेक्टेटोरियल स्टाफ है। यह सारा इन्फ्रास्ट्रक्चर तैयार करने का जो कार्यक्रम था, इसमें 200 करोड़ रुपया कौन लेकर आया, किसका इन्वेस्टमेंट है? क्या सरकार इसको इन्वेस्टिगेट करना चाहेगी? मैं इस सदन के माध्यम से माननीय मंत्री जी से यह जानना चाहता हूं।

आखिरी स्पष्टीकरण। मैडम, हमारे देश मे जो एफडीआई - फारेन डायरेक्ट इन्वेस्टमेंट - की पॉलिसी है, वह प्रिंट मीडिया के लिए, अखबारो के लिए यह है कि एक भारतीय के पास मीनिमम 51 प्रतिशत भागीदारी होनी चाहिए किसी भी अखबार मे। प्रिंट मीडिया के लिए इस तरह का एक साफ-साफ विचार दिया गया है, यह बहुत अच्छा विचार है, इसका मैं समर्थन करता हूं। फिर यही विचार इलेक्ट्रानिक मीडिया के लिए क्यो नही दिया गया? आज इलेक्ट्रोनिक मीडिया मे सबसे ज्यादा शेयर होल्डिंग मरडोक के पास थी। कुमार मंगलम बिरला के पास 25 प्रतिशत थी। उसने बोला कि मैं 25 प्रतिशत लेकर मरडोक के आगे-पीछे नाचूंगा नही। उसने बोला कि मुझे 51 प्रतिशत दे तो मैं आता हूं, 26 से ज्यादा दे तो मै आता हूं। वह उसने नही दिया। उसके बाद जो फर्जी लोग हैं दिल्ली और मुम्बई के, उन लोगो मे किसी को पांच परसैंट, किसी को कुछ, ऐसे करीब-करीब 30 परसैंट हो गया। उन सबके नाम और किसका कितना इन्वेस्टमेंट आया, वह सब बताकर मैं सदन का टाइम वेस्ट नही करना चाहता हूं। तो क्या सरकार इलेक्ट्रानिक मीडिया के लिए भी इस प्रकार की व्यवस्था करेगी कि 51 प्रतिशत मीनिमम एक भारतीय के हाथ मे होनी चाहिए ताकि अपलिकिंग पॉलिसी की जो आत्मा है कि ऐडिटोरियल कंट्रोल, सम्पादकीय नियंत्रण अंततः भारतीय व्यक्ति के पास हो? क्या इस आत्मा को और इस विचार को मानते हुए इस प्रकार की कोई नई व्यवस्था, अपलिकिंग पालिसी मे संशोधन करके, सरकार सदन मे आना चाहेगी?

मेरी बात खत्म हो चुकी है, थोड़ा सा विषय से आगे जा रहा हूं कि ज़ी टी.वी. पर रोज प्रचार आ रहा है कि 1 सितम्बर से डीटीएच ला रहे हैं। अभी कैस की मारा-मारी से हमारी

जान उभरी नही, डीटीएच लाने का प्रचार चल रहा है ज़ी टी.वी. पर। डीटीएच को क्या आपने लाइसैंस दे दिया है? किस-किस को लाइसैंस दिया है, जरा यह भी बताने की कृपा करे? और एक बात, मैं आपसे जानना चाहता हूं कि यदि डीटीएच आ गया तो कैस की क्या जरूरत होगी, कैस का क्या उपयोग होगा? धन्यवाद मैडम।

SHRI KAPIL SIBAL (Bihar): Madam, after the most outstanding speech of my good friend Nirupam, there is very little left to say. I only want to flag one particular point for the hon. Minister. When this Amendment Bill was first introduced, it was first passed in the Lok Sabha. In the Rajya Sabha - my good friend was not the Minister then - the then Minister... ...(*Interruptions*)...

श्री संजय निरुपम : मैडम, एक मिनट। माननीय कपिल सिब्बल जी स्टार टी.वी. के वकील हैं क्या? अगर हैं तो क्या वे इस सदन में बोल सकते हैं?

श्री कपिल सिब्बल : मैं बोल रहा हूं।

श्री संजय निरुपम : मैं यह पूछ रहा हूं। मैडम अगर अलाऊ करती हैं तो बिल्कुल आप बोलिए। मैं एक सवाल उठा रहा हूं कि आप उनके वकील हैं?

श्री लालू प्रसाद : ये इस सदन के मैम्बर हैं।

श्री संजय निरुपम : मैम्बर हैं, लेकिन मैम्बर के अतिरिक्त आप वकील भी हैं। अब इस वकालत के ऊपर, यहां राम जेठमलानी जी बैठे हैं आप उनसे पूछ लीजिएगा कि मैं सही हूं या गलत हूं, जो भी बोला जाएगा, मैं बैठ जाऊँगा, सुन लूंगा।

श्री कपिल सिब्बल : अरे भाई, आप पहले मुझे बोलने तो दीजिए, उसके बाद आप कुछ कहिए। आपको मालूम है कि मैं क्या बोलने वाला हूं? पहले मुझे बोलने तो दीजिए।

उपसभापति : आप जो मुझसे सवाल पूछ रहे हैं, मुझे उसका जवाब नहीं मालूम, वे मैम्बर खुद ही बता सकते हैं। वे बताएंगे तो मालूम हो जाएगा।

श्री कपिल सिब्बल : आप फिक्र मत कीजिए। Madam, the point that I was wanting to make was that when this Bill came to the Rajya Sabha, we approached the hon. Minister and he said that this really should be sent to the Standing Committee because there are very complex issues involved in this particular Bill, issues which relate to four players in the market - the Broadcasters; the Cable Operators which includes the MSOs (Multi Service Operators) and the LMOs (Last Mile Operators); the consumers, who are

going to receive the news and entertainment; and, ultimately, the Government. We said that because of the complexity of the issues of Set Top Boxes, how they are to be manufactured, who is going to manufacture them, who is going to import them, at what prices they are to be imported, what is the price at which the consumers are getting these channels at this point in time, what will be the ultimate price, all these factors, first, must be gone into. And the matter was adjourned from time to time, the Bill was not put, and, ultimately, towards the last day of the Session, the Minister on the floor of the House assured us. What did she assure us? She said, "I will make sure that the prices at which the consumer gets the product at home, after CAS, will not be more than the prices at which he gets it now!" That was the bottom line. Now, what is the average price which the consumer pays? The average price-I am speaking nationally--is Rs.157. Now, will the Minister tell this House, after CAS, what will be the average price? I am not going into all the details that my good friend, Mr. Sanjay Nirupam, has gone into because the fact of the matter is that after the import of Set Top Boxes is made, after the entertainment tax is paid, after the service charge is paid, the price will automatically be beyond Rs.160/-. Now, you have no method in this Bill to regulate the price which the broadcaster will charge the consumer. You do not have any method; that is why, you are negotiating with the broadcasters on a daily basis; you are persuading the broadcasters to-bring down their prices, whether they are going to offer a bundle of channels or a bouquet of channels or individual channels. And naturally, as far as the prices are concerned, since they are not subject to any regulatory mechanism, they are going to decide as to what price they are going to charge. And going by the prices, as of now, the average price for the four or five main broadcasters would be more than Rs.200/-; 'as of now' I am saying. So, automatically, the price to the consumer would be over Rs.300/-, or Rs.350/-, which is contrary to the assurance given by the Minister because the average price, then, was Rs.150/-. Would the hon. Minister explain to us as to what the economics of it is? That is the first point I wish to make.

The second point I wish to make is that, in fact, in this process, you are bringing in monopolies in the system. My good friend, Mr. Sanjay Nirupam, has rightly said that the present cable operators are not operators who have much financial strength. These operators today are not going to be able to provide Set Top Boxes because they do not have the money to buy the Set Top Boxes. As you know, if you were to supply the entire Set

Top Boxes in the country, the total amount of investment would be over Rs.2,500 crores. Now, the cable operators in India, who are about 30,000 in number, do not have that kind of financial capacity to invest Rs.2,500 crores. So, what is happening is, the big players who are actually running the channels, who are also broadcasters, have, therefore, set up cable companies. And they are monopolising the market! You have the Hindujas, the TMT. Hindujas are my clients, but I speak against them in this House. The Hindujas and TMT will be monopolising the market. ...*(Interruptions)*... SAB Hathaway-They will be monopolising the market. Siti Cable, Inn Cable also. Why are they going to monopolise the market? Ultimately, you are telling the consumer, "Look, you do not have to pay Rs.2,000 or Rs.2,500 for your Set Top Box!" But this is what the broadcasters are telling them, this is what TMT is telling them, "You will have to pay. We will make you to pay between sixty paise to one rupee per day!" It is about Rs.30 per month. Now, today, a cable operator cannot provide that to the consumer. An ordinary cable operator cannot provide that. Naturally, all this business will shift to the monopolies. Now, the essence of bringing down the prices is competition. You have seen it in the telecom sector. You started with two players and suddenly you realised, through experience, that two players were not going to bring down the prices. So, you had to expand it. You have accepted that principle, open access, in the Electricity Bill. But instead of applying the principle of open access, which you have applied in the telecom sector and in the electricity sector, you are giving monopoly. You are not applying the same principle in this sector. The principle that you are applying is giving monopoly to big broadcasters. Could the Minister explain why this is being done? Why is a monopoly situation being created? In fact, what is happening today, for the consumer, is, CAS stand for "confusion, anarchy and strike"; for the big broadcasters, CAS stand for "cash"; and for the Government, whose approach is casual, the letter "C" in CAS stands for "casual". That is the reality of the situation today.

You try to bring in Set Top Boxes only to set right one particular problem, namely, a lot of cable operators were not revealing the number of consumers that they were servicing. The reason given by the Minister the previous day was that there was under-reporting and once you had the Set Top Boxes, there would be no under-reporting. Therefore, the broadcasters could afford to provide the channel at a lower price. That was the rationale that the Government was giving. The total amount of money that is being

collected by the cable operators is something over Rs.9,500 crores and what is reported is only 15-20 per cent. So, to that extent the principle was right, namely, to have Set Top Boxes to give equity to all players in the market, be it a broadcaster or be it a consumer or be it a cable operator. All players in the market must be governed by the principle of equity. We don't want to favour anybody, nor should any Government favour anybody. But, unfortunately, this principle will not be realised because, through this policy, you will give monopoly to the broadcasters. The old cable operators will vanish, as my learned friend has stated. You have stated in your statement that today over one lakh Set Top Boxes have been imported. How will over a lakh of Set Top Boxes service four million consumers?

Having said this, Madam, I come to the politics of it. It is far more serious and that is the point which my good friend, Shri Sanjay Nirupam, did not touch, and rightly so. Under section 4(a) of the Cable Television Network Regulation (Amendment) Act, 2002, the Government has the authority to decide the number of free-to-air channels that will have to be shown. The Government further has the power to decide which particular channels will have to be shown in different States, cities, towns or areas. Now, there is a very serious situation. Imagine a situation where monopolies are being created all over the country by the cable operators and where reporting is required by these operators to the Government on a monthly basis. At the moment, there are 30,000 cable operators and 30,000 returns will have to be filed with the Government on a monthly basis. Can you imagine the control of the Government on these cable operators? Can you imagine, if any particular State, a particular Chief Minister, wants a particular kind of video to be shown to a particular set of people and tells the cable operator, "you better do this"? He is free to air. Can you imagine, when the elections are coming, that a particular political party tells a cable operator in a particular town or city or area, "this is what you must show in your in-cable network"? That particular cable operator under the discipline of this Act will have to show it. This is my greatest worry that you might, through the backdoor, propagate a particular philosophy through this network that you are going to set up. And there is no recourse to it because you say in your Section, "If the Central Government is satisfied that it is necessary in the public interest -- you know what the public interest means; normally, whichever Government is in power, it means in the interest of that Government - by a notification in the official Gazette can specify one or more free-to-air channels to be included in the package". So you

will decide one or more free-to-air channels to be included in the package. Why should the Government decide it? It says that forming basic service tier and any or more of such channels may be specified in the notification for entertainment, information, education and such other programmes. There could be any programmes. Why should the Government be involved in it? This whole CAS structure - I am afraid, that is the objection that I raised with the Minister even then - apart from giving cash to people, will give political mileage and will allow the media to be controlled in a very nefarious fashion. I stand for my party to oppose any such legislation which attempts to do it. I request the hon. Minister to give us an assurance in the House that at no stage will the Government indicate to any cable operator the kind of programme that he has to propagate and has to show to the public at large.

I will just talk about one aspect and then conclude because my colleagues will also say a few words on this. There was a judgement of the Supreme Court way back in the Cricket Association of Bengal case when the issue of uplinking came up. I also happened to be a lawyer in that case for the Cricket Association of Bengal. I propagated the cause that this is part of the right to information of a consumer and, therefore, protected under article 19 (1) (a) of the Constitution and therefore, the Government in the aspect of uplinking can impose no conditions. The Supreme Court had upheld my contention and the result was the opening up of the skies. I have always stood for freedom of expression. I have always stood for non-discrimination. I think my party stands for it. Whatever law is laid down by the Supreme Court should be the policy on the basis of which you must decide on issues of uplinking. But let me put a caveat here. If there is any party -- Shri Sanjay Nirupam has alluded to one -- which has violated the norms they should not be given uplinking facilities. Thank you.

THE DEPUTY CHAIRMAN: Now Shri Jethmalani has to speak. But we have only two minutes. I think we can adjourn the House for lunch for one hour. The House is adjourned for lunch for one hour.

The House then adjourned for lunch at fifty eight minutes past twelve of the clock.

The House reassembled after lunch at two minutes past two of the clock, THE DEPUTY CHAIRMAN in the Chair

THE DEPUTY CHAIRMAN: If I say something, Mr. Jethmalani will say that I am looking at him and telling. So, I am not looking at anybody. I am just saying that two hours were given for this discussion. Only one hour is left; one hour is almost over. मिनिस्टर साहब आप कितना समय लेंगे. बीस मिनट लेंगे या 25 मिनट लेंगे?

श्री रवि शंकर प्रसाद : उपसभापति महोदया, जितने प्रश्न उठाए गए हैं ।

THE DEPUTY CHAIRMAN: You tell us so that we decide accordingly.

श्री रवि शंकर प्रसाद : मुझे कम से कम 25 मिनट से आधा घंटे तक का समय लगेगा।

उपसभापति : आप 25 मिनट लेंगे। So, 40 minutes are left. Within those 40 minutes, everybody has to speak. So, hon. Members could put questions, which is the prerequisite of a Calling Attention. Mr. Jethmalaniji.

SHRI RAM JETHMALANI (Maharashtra) : Madam, how much time with your great generosity...

THE DEPUTY CHAIRMAN: You please put questions. You see, I have 14 speakers and 40 minutes' time.

SHRI RAM JETHMALANI: I understand now.

THE DEPUTY CHAIRMAN: I am not very good in mathematics, just now.

SHRI RAM JETHMALANI: Though I am bad at arithmetics, but I will still try.

THE DEPUTY CHAIRMAN: You know what happens in the court. The judge never stops you. You can go on speaking for months together. But, here...

SHRI KAPIL SIBAL: Lawyers make sense.

THE DEPUTY CHAIRMAN: I am not a judge to tell you.

SHRI RAM JETHMALANI: Madam, it is not correct. We have judges who are more impatient than you.

THE DEPUTY CHAIRMAN: That is a bad comment on the Chair, which is generally not done. So, you can withdraw it; otherwise, I will have to give a ruling.

SHRI RAM JETHMALANI : Madam, it is well to recall that the subject matter of this entire Act, the rules framed under it and the Government policy under it deal with, ultimately, the constitutional right of freedom of expression. It is also well known that when we talk of freedom of thought and freedom of expression, we don't talk of the freedom of that thought which we like, but we talk about that thought also which we hate. Now, I have a feeling that in formulating this policy, which is the subject matter of this Calling Attention, this limitation has not been kept in mind. I have with me an answer which you, Mr. Minister, gave to an Unstarred Question, only on the 28th July last, in which you were speaking about the Media Partners Asia Limited, who have made some kind of a research report on this kind of a scheme which you are following; and you said in your answer, perhaps, with approval, that this system will ensure that broadcasters and multi-system operators would benefit from the reduction of revenue linkage associated with the current subscribers under declaration.

Now, it appears to me, therefore, Mr. Minister, that the object and the primary object of this great scheme was really to see that foreign broadcasters and multi-system operators inside the country are able to recover the dues which were being denied to them as a result of false declaration or acts of deception by some unscrupulous cable operators. Now whereas it may be a desirable end to secure that people get their dues, it is certainly not an end to be achieved within article 19(2) of the Constitution. Section 20 was amended in 2000, and it acknowledges that your power to pass directions or make any policies is necessarily to be confined to the subjects of foreign relations, security of India, public order, decency, morality and commission of an offence. Therefore, to me, it seems that the very purpose of this scheme really was *ultra vires* because you were trying to secure to broadcasters and others a kind of Government's mechanism, whereas they were only entitled to enforce their contractual rights under the ordinary law of the land.

But, now that you have framed this scheme, let us see what the problems are. The problem raised by my friend, Mr. Nirupam, is not a problem which you can easily ignore. If your policy and implementation of that policy requires that consumers must purchase some kind of an instrument for which they have to pay and that money goes not to people in India but goes to the people abroad, obviously, it is obnoxious to any constitutional purpose, conformity with which you are bound to secure. I have a feeling that Mr. Nirupam's figure of Rs.1,800 crores was a slight under-statement. I believe that the figure is going to be somewhat more than that figure. I believe, it is going to be above Rs.5,000 crores. I think, this is a national loss which ought to have been safeguarded.

Then, Madam, I do wish to point out that one of your functions, one of your duties, is to see that this whole system doesn't operate in the interest of generating offences and creating criminal activity. Now, to my knowledge, I know that there are channels, perhaps, some of them operating from the North East where lottery results are continuously being announced on certain channels. Are not you encouraging gambling which is prohibited by law, and are you not abetting the propagation of this kind of data? And if you are not able to safeguard the airspace and our airwaves, over which you have got control in the interest of the public, then, it is obvious that you are not able to take care of security, the security which should be the main object of controlling this business of information, distribution and entertainment distribution. Now, if you cannot do that, then what you are trying to do, really, is to pry into every bedroom and find out what couples are doing at 12 o' clock at night, or, 2 o' clock in the morning...

THE DEPUTY CHAIRMAN: Mr. Jethmalaniji, I have many speakers before me.

SHRI RAM JETHMALANI: Madam, I have finished.

THE DEPUTY CHAIRMAN: You have finished. I am very happy.

SHRI RAM JETHMALANI: But, all that I want to ask the hon. Minister is this. I hope he will be able to give an assurance to the House that this policy will be implemented in accordance with the intention of the Constitution-makers and in accordance with the law-makers who have,

definitely, Article 19(2) in their mind. Thank you.

SHRI BALBIR K. PUNJ (Uttar Pradesh): Thank you Madam for providing me an opportunity to speak on this subject. I enjoyed hearing my learned friends, Mr. Sibal, Mr. Sanjay Nirupam and Shri Ram Jethmalani. One thing I found is that somewhere, in their speeches, there is a resistance to change. Anything new that comes upsets, sometimes, the people. If I go back, when the coin system, decimal system, was introduced, at that time also a lot of fear was expressed. Ultimately, we know how the decimal system brought boom to this country.

Madam, I will take you back to the time when Bakra Nangal dam was being built. There was a propaganda within Punjab - I come from Punjab - that the Government of the day was building a dam and it was going to take electricity out of water and it was going to supply the same water, which had no energy left, to crops and that would destroy the crops. This sort of propaganda about any new idea is an old tradition and people do it out of ignorance; sometimes, people do it because they have vested interests. In fact, when computers were introduced in India, or, even when reforms were initiated, in the wake of the collapse of the erstwhile Soviet Union in 1990, by Dr. Manmohan Singh, there was a lot of apprehension and fears were expressed that we are going to become a part of the American imperialism and that we will be a victim of multinationals. But, we know, how much distance we have travelled and how much prosperity we have gained because of the new policies. One fear has been expressed. I could feel that when Mr. Sanjay Nirupam was speaking. I could feel that when Mr. Kapil Sibal was speaking. It is, as if, the entire policy is being made for the benefit of the Set Top Box manufacturers. A point has also been raised as to why the domestic manufacturers are not being encouraged to manufacture the Set Top Boxes. So, I could not understand whether the objection was to the concept itself, or, to the point that why the Set Top Boxed need to be imported and why they are not being procured locally. It is a typical case of "what comes first, egg or hen?" If you do not have demand, naturally, there will not be any manufacturing facility within the country. If you do not have the manufacturing facility in the country, the same will be imported. Now, you will not allow the CAS because the STBs are not being manufactured here. You will not allow imports because the domestic industry, which is yet to be born, will suffer. So, it is a "egg or hen" situation. We have to move out of this situation. If

we have to accept CAS as a concept, surely, we will have to import Boxes in the beginning, and, later on, surely, our manufacturers, our entrepreneurs, who are very capable, can take up the production of this commodity. All sorts of figures were flaunted here. It was said that there would be a duty loss of Rs. 2,400 crores, or, sometimes, Rs. 3,000 crores. But the fact is that we need only five lakh boxes. The total cost would itself be about Rs. 150 crores. So, how much duty loss is going to be there? It is anybody's guess. And, at best, it would be around Rs. 70 crores. It is, again, a notional figure. And, if there are no imports, the Government is not going to get any duty anywhere. Hon. Member, Shri Kapil Sibal, also raised an issue and expressed a fear that the Government will be able to decide the contents of the telecast because the Government will be having authority. He also mentioned the Chief Ministers, particularly. The Chief Ministers will have the power to withdraw a programme or to introduce a programme. And, in fact, you will have a scenario whereby the State will be deciding what the people should see, and what the people should not see. It is a fairly genuine apprehension. Recently, we had a taste of it. I don't know whether we had a taste of it because the CAS had come into being or not. In Chhattisgarh, the National Executive of the BJP was meeting, and the cable network over there was running programmes, which were deriding the BJP all the time. Suddenly, we wanted to find out as to why the BJP was being derided so much on this cable network. Then, we were told - I don't know whether it is true or not - that the cable network of Chhattisgarh was either owned by the Chief Minister of Chhattisgarh, or, it was under his influence. So, this apprehension is very much genuine. But, then, you don't need a CAS to introduce this sort of a thing. If you are really mischievous; if you have that authoritarian stick in you; if you want to control the media; if you want to control what the people see and what the people don't see, you can do it otherwise also. We have had the tradition of emergency, in this country. Whenever the Government had wanted to control, they had controlled the contents. So, I think, any apprehensions on this basis are totally misplaced.

Madam, why is this opposition to the CAS? The opposition to the CAS is borne because of the fact that TV is a very powerful medium. In fact, according to a very important study, we only retain one per cent of what we hear; we retain ten per cent of what we see; and, we normally retain 40-50 per cent of what we see and hear, simultaneously. And, TV is a medium in which you have both, audio and visual, facilities at the same

time. It has enormous capacity to influence the people. It influences the people across all ages. But it has more influence on children. Here, Madam, with your permission, I would like to quote a remark made by Mr. Federico Mayor, Director-General of the UNESCO. The UNESCO had conducted a study on this subject. After that study, he had said, "I am greatly concerned to note the prevalence of violence in television programmes, watched by the children and the young people. The UNESCO's recent study, Global Study on Media-Violence, indicates that children, not only watch a great deal of television, including violent programmes, but they are also deeply influenced by what they see." The report further points out, "We must be equally aware that the children are also influenced by the immediate environment, which may be violent." Madam, this study further says, rather it revealed, "Children, on an average, spend three hours of their total time in front of television sittings. And, this is, at least, fifty per cent more time than they spend with any other medium, out of school activities, including homework, being with family or friends." Madam, among children, particularly the boys are fascinated by aggressive media heroes. Fifty-one per cent of the children are influenced by high aggression environments, like war, crime, etc. And, they would like to step into the shoes of the hero, who is at the centre or who is the kingpin of the crime or the war, because such heroes become their role models. Madam, the Survey further revealed that a large number of children live in a disturbed emotional state. Nearly half of the children covered by the Survey, they reported, are always anxious because they want to compete with their role models; they want to copy their role models. And, at least, 9.5 per cent of them have left their houses at one point of time or the other. Around 47 per cent of them felt their environment, their location, and their houses unsuitable because they were under the influence of the media and they wanted to migrate to the places which they have seen on the television. Around 16 per cent of the children thought all deaths happened because of violence, because violence is all that they see on television. And 7.5 per cent children tried to use, or had used a weapon against somebody or the other. Madam, children use escapism as compensation for their problems. For boys, their heroes are normally violent characters, and for girls it is pop stars or musicians. Children's capability to distinguish reality from fiction is very weak. For them, the line of demarcation between reality and fiction is very blurred. And whatever they see on television, they tend to believe it to be a real life situation. The Survey further says that in all cases ...*(Interruptions)*... I will come to that, Mr. Sanjay. Then, you have the

capacity to switch it off. If you don't want it, you will not have it in your houses. At the moment, whatsoever is served to you, you have to see it. You pay a fixed amount and you get 80-90 channels and you have the option either to completely shut off the television or watch everything that is served to you. In CAS, once you have the Set Top Boxes, only free-to-air channels are there, and in addition, only the channels which you want to see will be given. So, you have a better control over what you see. In the present system, you are exposed to whatever you don't want to see. So, there is an ocean of difference between the two situations. ...*(Interruptions)*...

श्री संजय निरुपम : "कैस" में अगर फ्री टू एयर चैनल होगे .....

उपसभापति : संजय जी, अभी आप जवाब नहीं दे रहे हैं। You took more time than was required. ...*(Interruptions)*...Let him make his point. He did not disturb you. ...*(Interruptions)*...He has a viewpoint, let him speak. While you are speaking, you can make your point.

SHRI BALBIR K. PUNJ: Madam, I am coming to the last part of the Survey. I quote from the 1991 American National Coalition of Television Study of 100 cartoons. "Around 50 per cent of them glorified violence or used it to entertain children." And the study concludes by saying, " By the time an American child is 18 years old, he has seen, at least, 2,00,000 violent incidents. And he has also seen 25,000 murders and almost an equal number of rapes. Now...*(Interruptions)*...Let me complete, Sanjayji.

उपसभापति : बलबीर जी, आप अपना भाषण करिए। जवाब मंत्री जी देगे, दूसरे नही देने वाले हैं।

SHRI BALBIR K. PUNJ: Now, Madam Chairperson, India, at the moment, has 85 million TV sets. That means, the number of television sets that we have, practically, equals the population of most of the countries of the world. And, then, the rate of growth is about 13 per cent every year. Then, we have 44 million cable TV sets and the rate of growth is 27 per cent, and there are likely to be 71 million cable TV sets by 2008. The size of Indian market in 2003 is estimated at Rs. 8,300 crores. It is an estimate by Morgan and Stanley Survey. How is this money, that is, 8,300 crores, shared? The local Cable Operators, whose case Mr. Sanjay was pleading, get a share of Rs. 7030 crores, that is about 84.3 per cent. The

Broadcasters get Rs. 900 crores, that is, 10.8 per cent. The Multi-System Operators, that is, MSOs get Rs. 120 crores, that is 1.5 per cent. And, out of this Rs. 8300 crorers, the Government gets just Rs. 290 crores, that is, 3.9 per cent. The total turnover of the industry, today, is estimated at Rs.15,000 crores, and it employs about half a million people. I do not know how many cable operators are there, because when hon. Sanjay Nirupam was speaking, he said, 'one lakh', and when hon. Kapil Sibal was speaking, he said, "30,000". I think, the number is somewhere in between.

श्री संजय निरुपम : 10,000 तो सिर्फ मुंबई में हैं।

SHRI BALBIR K. PUNJ: Well, you correct Mr. Sibal then.

SHRI SANJAY NIRUPAM: Why should I correct Mr. Kapil Sibal?

SHRI BALBIR K. PUNJ: He said, there are only 30,000 cable operators.

THE DEPUTY CHAIRMAN: But you are correcting him, Mr. Nirupam,...*(Interruptions)*...

SHRI SANJAY NIRUPAM: I would rather correct you, Mr. Punj...*(Interruptions)*...

SHRI BALBIR K. PUNJ: This is what I am saying that you are busy correcting me, but you are not correcting hon. Mr. Kapil Sibal. Anyway, thanks a lot for this special affection...*(Interruptions)*...

Now, hon. Sanjay Nirupam asked a very interesting question, will the CAS profit? And the answer is, for viewing of any pay channel the concept of use of an addressable system is being introduced. Now, addressable system, basically means, "a device through which cable television signals of pay channels can be received and seen by the subscriber as per his choice of viewing." He can choose what he wants to view. There is an ocean of difference beween the present situation where a subscriber is given a portal bouquet in which he has no choice, and in the proposed system in which he has the choice to view what he wants to view. It translates into establishment of a Conditional Access System at the end of the operator and simultaneous placement of a set-top box at the

consumers' level. Then, of course, there is a concept of free-to-air and they have to be made available to the subscriber at a controlled price, at a declared price, which has been fixed at Rs.72, and you almost get to see 70 channels.

SHRI KAPIL SIBAL: They have gone back on 72 channels. कल की मीटिंग मे उन्होने कहा है कि हम 75 रुपए नहीं करते। मंत्री जी इसका जवाब देगे।

SHRI BALBIR K. PUNJ: Anyway, the hon. Minister is here and he will clarify.

Madam, the CAS is to meet four objectives: Firstly, to give freedom to the consumers to pay only for those channels which they wish to see; secondly, to put a stop to overcharging by cable operators and thirdly, arbitrary hikes by broadcasters and lastly, to bring transparency in the cable business, about correct connectivity and viewership...*(Interruptions)*...

SHRI VAYALAR RAVI: What is meant by transparency?

SHRI BALBIR K. PUNJ: There will be transparency as the entire thing will become available because of the set top boxes. You will have the exact facts. How much is something will be watched...*(Interruptions)*...

SHRI SANJAY NIRUPAM: Only pay channels and not free-to-air channels...*(Interruptions)*...

SHRI BALBIR K. PUNJ: Now, I heard a lot of hon. Members --and I hate to use this phrase, but I rather use it -- shedding crocodile tears on the fate of the consumers. If you look at consumers, the rates have been raised by the cable operators 3 to 4 times, in a span of six years. In areas like Munirka, Green Park, R.K. Puram, Parliament Street, the cable rates have shot up from Rs.75 to Rs.100 in 1996 to almost Rs.250-Rs.300...*(Interruptions)*...

SHRI MANOJ BHATTACHARYA (West Bengal): Madam ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Please you will allow him to speak; otherwise, Mr. Bhattacharya, you will be the victim, because the rest of the people, after you, won't get time. I am going to close the discussion within

two hours whether anybody speaks or does not speak. He has got 22 minutes, as allotted; the Congress Party has got 32 minutes, as was allotted in two hours; so, rest of it are going to be the casualties.

SHRI BALBIR K. PUNJ: Madam, but this time should not be included in my account.

उपसभापति : अभी आप समाप्त करिए जरा।

SHRI BALBIR K. PUNJ: Okay, Madam, I will conclude within three minutes. "The Economic Times" brought out a survey on entertainment industry. It said, one of the reasons why the rates are being raised... *The Economic Times* which brought out a survey on the entertainment industry has said that one of the reasons as to why the rates are being raised -- and, I want to draw the attention of the House towards it -- is because the cable operators normally report only ten per cent of their subscriber base, and they make the payment to the broadcasters as per this ten per cent base. To make up for that, the broadcasters normally go on increasing rates. The STAR package has gone up by 1100 per cent in the last five or six years, the ZEE bouquet has gone up by 1150 per cent, and the ESPN-Star has seen a rise of over 1000 per cent. This periodic increase has meant a regular hike in the monthly subscription rates so much so that in some areas in Delhi they are closed to about Rs. 300. Now, this is not a situation which any Government or any society can accept that a section of people go on raising the service rates arbitrarily, year after year, and the people are made to pay.

Madam, *The Economic Times* survey also estimated that the rate of return the LCOs enjoy is almost 122 per cent. Now, in the changed situation, after the CAS comes into operation, the pay channel charges will have to be displaced openly by all cable operators, and the question of over-charging is ruled out, but only after declaration of pay channels. Here I have a question for the hon. Minister, and it is whether the basic performance of C.A.S., i.e., CAS will be defeated if the choice is taken away from the consumers. The hon. Minister may please explain as to why this is not done, and how can the subscribers choose, or, watch pay channels. Now, the questions have also been raised as to how many channels will be free-to-air in a fixed amount of Rs. 72. I expect the hon. Minister to throw some light on this also. Madam, forty per cent of our population either has

Black & White TV sets, or, it has second-hand colour TV sets. The number of channels such television sets can receive does not exceed twelve. So, this bouquet of 90, or, 100 channels which the cable operators serve for a fee of about Rs. 250 or 300, obviously, is of no use to them, and the CAS will be a boon, particularly, to this set of consumers, and they are about 40 per cent. They are from weaker sections of the society. Normally, they are in smaller towns, in *kasbas*, in villages, in rural areas, etc., and this CAS will be a boon to them. ...*(Time-bell)*

Madam, I would like to put only three-four questions, and then I conclude. What are the FTA channels which consumers can watch by paying Rs. 72 per month? How much will the consumer pay to watch pay channels? Wherefrom the Set Top Boxes can be purchased? What will happen to the Set Top Box when a consumer shifts house and moves into an area which is serviced by a different MSO cable operator? How often can a consumer change his choice of channels under the C.A.S. regime? As per some reports in the media, the Set Top Boxes can spy on the consumers, and this was the issue which our colleague, Shri Ram Jethmalaniji, also raised? How far is it true? And, lastly, what will happen to Set Top Boxes, if in future, most of the pay channels become free-to-air, and there may be a situation when there may be two or three pay channels? Thank you, Madam.

श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल) : धन्यवाद उपसभापति महोदया। माननीय महोदया, सूचना और संचार तकनीक के क्षेत्र मे प्रतिदिन हो रहे नये-नये परिवर्तनों और इसके साथ ही सांस्कृतिक साम्राज्यवाद के शिकंजे की चुनौतियों को हमने अब तक की बहस में महसूस किया । उपसभापति महोदया, मैं समझती हूं कि समकालीन साम्राज्यवाद को ही बाज़ हलकों में सांस्कृतिक साम्राज्यवाद की संज्ञा दी जाती है। महोदया, इसी का एक रूप मीडिया साम्राज्यवाद भी है। यह नया साम्राज्यवाद है जिसका बहुत कुछ हमारे अंदर से पैदा होता है, निर्गुण ब्रह्म की तरह जो बाहर से दिखाई नहीं देता, लेकिन अनेक रूपो और उपायो के जरिए हमारे तमाम सांस्कृतिक रूपो को लीन लेना चाहता है।

उपसभापति महोदया, यही वे चुनौतियां हैं, यही वह परिप्रेक्ष्य है जिसमे आज हम कैस और अपलिंकिंग के खतरों के बारे मे चर्चा कर रहे हैं। महोदया, हमारी चर्चा का एक विषय केबल के क्षेत्र मे एक नई तकनीक "कैस" के आ जाने से जो नई परिस्थितियां उत्पन्न हुई हैं, उनसे संबंधित है। दूसरे, सीधे तौर पर मीडिया साम्राज्यवाद का है। Rupert Murdoch नामक मीडिया दैत्य किस प्रकार से हमारे देश में तमाम कानूनों को धता बताकर और जिसकी पूरी व्याख्या हमारी इस बहस में हुई, हमारे तमाम जन प्रसार माध्यमों पर अपना शिकंजा कसता जा रहा है... ।

उपसभापति : सरला जी, I feel very bad when I stop any Member. But humanly, it is not possible to complete the discussion, if you are going to make a speech. In a Calling Attention Motion, you have to put only questions.

SHRIMATI SARLA MAHESHWARI : Madam, I am just putting questions.

उपसभापति : भूमिका इन्होने बता दी है।

SHRIMATI SARLA MAHESHWARI : Madam, I am putting questions. I was just giving a background, the objective of what we are discussing here. इसलिए मंत्री महोदय मैं आपसे पूछना चाहती थी कि क्या आप सूचना तकनीक की इस भूमिका से परिचित हैं? इसकी भूमिका दोहरी होती है। यह दुधारू तलवार की तरह होती है। अगर इसका सही, विवेकशील, सुचिंतित और राष्ट्रहित में इस्तेमाल किया जाए तो यह हमारे राष्ट्र के लिए एक मुक्ति-दायी दवा की तरह से काम कर सकता है। लेकिन ठीक उल्टे अगर इसका इस्तेमाल अविवेकशील ढंग से किया गया तो यह हमारे लिए नुकसानदेह हो सकता है। आज, वैश्वीकरण के दौर में, भूमंडलीकरण के दौर में जंगल का राज चल रहा है। अगर जंगल के कानूनो की तरह अंधे होकर इसका इस्तेमाल किया जाए तो क्या होगा ? यही होगा जो हम आज की बहस में देख रहे हैं।

उपसभापति महोदया, अगर यह तकनीक विवेकशील ढंग से इस्तेमाल न की जाए तो किस ढंग से सांस्कृतिक प्रदूषण का खतरा हमारे देश के ऊपर होगा उसे हम सब महसूस कर सकते हैं। किस तरह से यह हमारी राजनैतिक सत्ता के विकेन्द्रीकरण के स्थान पर केन्द्रीयकरण का रास्ता मुहैया करेगा ! किस तरह से यह अंधापन हमारे समाज, सत्ता और जनता के बीच संबंधो को प्रगाढ करने की बजाय हमारी यह जो वैविध्यमयी संस्कृति है उस वैविध्यमयी संस्कृति के मौत के घंटे के समान काम करेगा। क्या मंत्री महोदय इस परिप्रेक्ष्य को समझते हैं। मैं समझती हूं कि वह इस परिप्रेक्ष्य को नहीं समझते हैं। अगर इस परिप्रेक्ष्य को समझते होते तो वह इस तरह साम्राज्यवादियो से विशेषकर Rupert Murdoch की तरह के मीडिया दैत्य को इस तरह की खुली छूट की अनुमति नही देते।

उपसभापति महोदया, यह "कैस" का केस क्या है, इसकी अंदर की गुत्थी क्या है? किस तरह उपभोक्ता हित के नाम पर विदेशी बहुराष्ट्रीय कम्पनियो के हितो को साधा जा रहा है यह अब तक की बहस से आपके सामने स्पष्ट हो गया है। उपसभापति महोदया, स्वदेशी का नाम जपकर हमारे देश के जो बुनियादी उद्योग हैं, उन बुनियादी उद्योगो का विनिवेशीकरण करने वाली सरकार से इससे अधिक हम और अपेक्षा भी क्या कर सकते हैं?

उपसभापति महोदया, अब तक की पूरी बहस से यह स्पष्ट हो चुका है कि "कैस" से उपभोक्ताओं का हित होने वाला नही है। तमाम आंकड़ों के जरिए से इसके बारे मे संजय निरुपम जी ने बताया है। मैं उस बहस मे दुबारा नहीं जाना चाहती हूं। उलटे उपभोक्ता का नाम लेकर

बार-बार माला जपी जा रही है कंज्यूमर फ्रेंडली, कंज्यूमर फ्रेंडली, इसमें सबसे अधिक उपभोक्ता ही मारा जायेगा और दूसरी मार केबल नेटवर्क चलाने वाले मामूली लोगों पर होगी जो तीस-चालीस हजार लोग हैं, उनका रोजगार आप छीनेंगे। इसका सबसे ज्यादा फायदा किसको होगा ? मलाई किसको मिलेगी ? बहुराष्ट्रीय कम्पनियों के सरगनाओं को, इजारेदार पूंजीपतियों को। इन सब के बीच में, हमारी सरकार वैश्वीकरण और भू-मंडलीकरण के प्रवक्ताओं का आर्शीवाद लेकर खुश होगी कि हमने आपके लिए रास्ता साफ कर दिया है। महोदया, कैस के बारे में मूल उद्देश्य यह बताया गया था कि 72 रुपए में दर्शक को 32 फ्री टू एयर चैनल देखने को मिलेंगे। अभी बलबीर पुंज साहब कह रहे थे कि नयी चीज़ के आने से हम लोग घबरा रहे हैं। पहले मुर्गी पैदा हुई या अंडा, सवाल यह नहीं है। सवाल परिवर्तन के विरोध का नहीं है। परिवर्तन किसलिए हो रहा है? आपने कहा कि इस प्रकार की समस्या पैदा हुई है और उसका निदान यह है। किन्तु समस्या जस की तस खड़ी हुई है। न केबल ऑपरेटर के बीच का, न ब्रॉडकास्टर के बीच का और न उपभोक्ताओं का विवाद सुलझा है। ब्रॉडकास्टर अपनी शर्त पर अड़े हुए हैं। केबल ऑपरेटर अपनी जगह पर अड़े हुए हैं। आज की स्थिति में मंत्री महोदय क्या इस सदन को इस बात के लिए आश्वस्त कर सकते हैं कि आप 72 रुपए में, 75 रुपए में, 100 रुपए में 80 से ज्यादा चैनल आप बेसिक टीयर में दिखा सकते हैं? आप ऐसा नहीं कर सकते हैं। मैं यह सवाल करना चाहती हूं कि आखिर बिना किसी होमवर्क के, बिना किसी तैयारी के हमारे देश की 1800 करोड़ रुपये की विदेशी मुद्रा और 2400 करोड़ रुपए के राजस्व का नुकसान उठाकर इस तरह की जल्दबाजी का निर्णय क्यों लिया? महोदया, पहले इन्होंने घोषणा की कि अमुक तारीख से चार महानगरों में हम इसे शुरू करेंगे। ...**(समय की घंटी)**... बिना किसी बात की जांच किए कि इसके लिए कितने सेट टॉप बॉक्स की जरूरत होगी। जब यह सामने आ गया कि इतने सेट टॉप बॉक्स उपलब्ध नहीं हैं तो उन्होंने कहा, हम तारीख ले लेते हैं। इसके बाद जब इनसे पूछा गया कि आखिर क्या होगा? सेट टॉप बॉक्स के बारे में आपका आकलन क्या है? किसी एक घर में अगर एक से अधिक टी.वी. सेट हैं तो उसको कितने सेट टॉप बॉक्स की आवश्यकता होगी? उन्होंने कहा कि यह तो हमारी सोच के दायरे में ही नहीं है। हमने तो केवल इसी बारे में विचार किया है कि एक घर में एक टी.वी. है। इस प्रकार का आपका चिंतन है। यह बात मुझे समझ में नहीं आ रही है। आपने उस दिन भी यहां पर कहा कि पहले हम विदेश से मंगाएंगे। ...**(समय की घंटी)**... अभी बलबीर पुंज साहब ने कहा कि पहले मांग तैयार करेंगे। इस प्रकार बहुराष्ट्रीय कम्पनियों के जो सिद्धांत हैं, आप उन्हीं का इस्तेमाल कर रहे हैं कि पहले हम मांग तैयार करेंगे। किसके लिए मांग तैयार करेंगे? आप पहले हमारे देश की विदेशी मुद्रा का नुकसान उठाकर विदेशों से मंगाएंगे और फिर आप कहते हैं कि हम देश में मांग तैयार करेंगे। अब मेरा मंत्री महोदय से सवाल है कि ये जो सेट टॉप बॉक्स आप दे रहे हैं, इस सेट टॉप बॉक्स की तकनीक क्या है? महोदया, आज हालत यह है कि अमेरिका में, कनाडा में ऐसे सेट टॉप बॉक्स उपलब्ध हैं, जिनसे अगर आप चाहे तो महीने भर पहले एक टी.वी. पर जो कार्यक्रम दिखाया गया था, उस कार्यक्रम को अगर आप एक महीने बाद देखना चाहे तो अपने आप उस कार्यक्रम को आप एक महीने बाद देख सकते हैं और हमारे यहां पर ऐसे सेट टॉप बॉक्स लाए जा रहे हैं - मैं मंत्री महोदय से जानना चाहती हूं कि क्या ये अद्यतन सेट टॉप बॉक्स हैं या विदेशों में discarded किए गए सेट टॉप बॉक्सिज़ को हमारे हिन्दुस्तान में dumping yard बनाने के लिए लाया जा रहा है? इसके अतिरिक्त कल जब Convergence Bill आएगा - डीटीएच की अनुमति आप दे रहे हैं - इसमें जो Multi-Service Operators हैं, Multi-Service Providerers जो

कम्पनीज हैं, वे ही सब कुछ हथिया लेगी। इस तमाम चीजो पर आपने विचार ही नहीं किया। यह आप किसके लिए कर रहे हैं? आप केबल ऑपरेटर्स को दरकिनार किए जा रहे हैं और उन तमाम बहुराष्ट्रीय कम्पनियो को, जो एक काम से सब काम करेंगे, जो ऑप्टीकल फाइबर करेंगे, आपको टेलीफोन प्रोवाइड करेंगे, इंटरनेट प्रोवाइड करेंगे, सब सर्विसेज़ प्रोवाइड करेंगे, आप उनके लिए रास्ता मुहैया कर रहे हैं? महोदया, मेरा कैस के संबंध मे मंत्री महोदय से...

उपसभापति : अब आप कृपया स्थान ग्रहण करिए।

श्रीमती सरला माहेश्वरी : अभी अपलिकिंग के बारे मे तो मैं अभी कुछ कह ही नही पायी।

THE DEPUTY CHAIRMAN: I have one principle. Either I go by party's time or by some rule. पार्टी के टाइम मे आपके 6 मिनट थे। You have taken more than that.

श्रीमती सरला माहेश्वरी : मैं केवल दो प्रश्न और करूंगी। अपलिकिंग के बारे मे थोड़ा सा कहना चाहती हूं।

उपसभापति : प्रश्न कर लीजिए, भूमिका मत बनाइए।

श्रीमती सरला माहेश्वरी : महोदया, अब मैं अपलिकिंग के बारे मे कहना चाहती हूं। जहां तक अपलिकिंग का सवाल है, मैं मंत्री महोदय से जानना चाहती हूं कि आखिर क्या कारण हैं कि आपने अपलिकिंग की अनुमति देते हुए वे तमाम सुराग छोड़ दिए जिनसे आज Rupert Murdoch जैसे लोग हमारे देश के कानूनों को धत्ता बताकर अपना उल्लू सीधा कर रहे हैं। कल पांचवी बार उनका ऐक्सटेशन खत्म हो गया है। क्या आपने छठी बार उनका ऐक्सटेशन बढ़ा दिया है?,आपके बीच और उनके बीच मे जो लम्बा खत-किताबत चल रहा है, यह हमारे देश की सरकार का क्लासीकल उदाहरण है कि किस प्रकार से वह काम कर रही है। अपलिकिंग के बारे मे हमारे देश के तमाम मीडिया के लोगो ने मंत्री महोदय को एक ज्ञापन दिया है। मैं यह जानना चाहती हूं कि आज की परिस्थितियो में क्या आप यह जरूरी नही समझते कि हमारे देश के संविधान निर्माताओ ने और उसके बाद हमारे राष्ट्र नेताओं ने, नेहरु ने और विक्रम साराभाई तक ने यह कहा था कि ऐसा खतरा पैदा होगा? उस समय उन्होने भांप लिया था और आज हमारे मंत्री महोदय, इस खतरे को भांप नही पा रहे हैं। इसलिए मैं यह कहना चाहूंगी कि आज की इस परिस्थिति मे जो पचास हजार करोड़ रुपए का ...**(समय की घंटी)**... ब्राडकास्टिंग का क्षेत्र बनता जा रहा है। उसमें कोई आपको रेग्युलेट्री ...**(व्यवधान)**...

उपसभापति : श्री मनोज भट्टाचार्य ।

श्रीमती सरला माहेश्वरी : रेग्युलेटरी बॉडी हो जो तमाम देशी और विदेशी चैनलों पर समान रूप से लागू हो। एक सामान्य निदेशक नीति तैयार करेंगे या नहीं उससे पहले इस

तरह के लोगों को हमारे देश की सम्पदा से, हमारे देश की सम्प्रभुता से खिलवाड़ ...**(व्यवधान)**... करने की अनुमति नहीं देंगे। धन्यवाद।

SHRI MANOJ BHATTACHARYA : Madam, I remember that we had a discussion, more or less, on the same issue in Calling Attention Motion on 9th May, 2003, particularly on the FDI in the electronic media. That was the birthday of the great poet, Rabindranath Tagore.

THE DEPUTY CHAIRMAN: Now, that is not the question here. So, you need not speak on that. Please put questions.

SHRI MANOJ BHATTACHARYA: Madam, please allow me and today is also a very significant day. Today is the 6th August, which we observe as Anti-imperialism Day because on 6th August, America bombarded the Hiroshima City. Atom bomb was dropped on 6th August , 1945. So, it is a special day observed as Anti- imperialism Day. And, today, we are discussing about the role of the multinational corporations in the Indian situation, particularly in the uplinking of the airwaves. Madam, I am thankful to my hon. friend, Shri Sanjay Nirupam, for exposing the real face of the so-called *Swadeshis* and the fact he has established that these people, under the garb of *Swadeshi*, they are really serving the multinational corporations and also subservient to the multinational corporations. Madam, since the time is short and you are going to caution me about the time, I am not going into the details of the deliberations. Even though, I know it for certain that hon. Minister on 9th May, when he replied in the House, he did not take the House into confidence. He suppressed the facts. What he did on 8th May? He did not feel like sharing it with the House and I do not know whether he will be sharing it totally today also. But, I have some questions, on CAS, however, I would not like to mention much because many of the hon. Members have discussed it in detail. So, I am not going into the Conditional Access System But, particularly, my question is regarding the uplinking guidelines mandate of the editorial control in Indian hands. It does not carry any safeguard against the company control by the foreigners. Why is the safeguard clause of minimum 51 per cent equity - which I have also raised earlier - to be held by single Indian entity and disclosure of loan and shareholder agreement to the Government, have been omitted from the uplinking guidelines despite their presence in print media guidelines? Here is the difference. In print media guidelines, as the Minister is aware, a safeguard is provided that 51 per cent equity will be held by the Indian

company. And, in electronic media, it is 74 per cent. But, this 74 per cent is disbursed among 74 persons and the Minister is also quite well aware that some shell or dummy companies have come into existence in India and are looking for uplinking licence to run news and current affairs channels. M/s. Media Content and Communication Services Pvt. Ltd., commonly known as MCCS, is one such company where a foreign company, I should name it, it is Star, Mr. Rupert Murdoch is the owner. Once again, I am taking the name of Mr. Rupert Murdoch, even though I do not desire to do so. Star is distributing shareholding to Indians to make up the required 74 per cent Indian equity. One such example is of Mr. Suhel Seth. He was said to be the owner of an advertising firm. The total turnover of this company run by Mr. Suhel Seth is Rs.1.30/40 crores, if I remember correctly. He has invested Rs.1.20 crores. From where has he got this money? Last time, we raised a question about the Space TV, that Mr. Jagdish Kumar and Mr. Ajay Kumar Sharma, both employees of the Star TV, have invested some Rs.10 crores. From where have they got this money? And, even though there is a stricture from the Ministry of Finance, the Information and Broadcasting Ministry felt it necessary to offer the Conditional LOI to this Space TV for uplinking, for DTH. Madam, why have the guidelines been framed in such a weak manner that a foreign company can sit in India and distribute equity in its shell or dummy company with impunity to pliable Indians?

In fact, Madam, when the application of the Space TV should have been rejected, we had put a categorical question to the Minister: whether you are rejecting the application of the Space TV, because this application is from a company where 100 per cent foreign equity is involved, and, they have taken a recourse to hide the facts from the public. The Government, knowing it fully well, have accorded the permission and have made the necessary arrangements so that they can go for Indian equity. Madam, it is known to everybody, once a contract, a huge contract, is bagged, it is easy to get the Indian equity, and, they will be going for the Indian equity like this.

Madam, it is astounding to read in newspapers everyday that STAR is changing its Indian partners everyday as per its own wishes. The spirit of having 26 per cent foreign equity and editorial control in Indian hands is washed away at the very beginning when it is seen that STAR is distributing shares to Indians who will hold 74 per cent equity. Madam, through you, I

would like to ask: why has the Government allowed this joke to be played by STAR, and, yet, the extension of uplinking permission is being given week after week? Many Members have raised this point that you are continuously giving extensions. What has transpired between you and the STAR TV; what has transpired between the Prime Minister, the Cabinet and Mr. Rupert Murdoch - would you please clarify the situation?

Madam, if I am correct, the 25 per cent equity, which was originally held by Shri Kumarmanglam Birla's company, has been gifted by STAR now to Mr. Suhel Seth. What is the Government doing to check the real shareholders of MCCS? What they have not done in the case of Space TV, are they doing it in the case of MCCS? The Government should not go by what is being merely presented on papers, because on papers, something rubbish has been presented, and, the Ministry and the Government are not careful and it is quite deceptive to the people of this country. Madam, why is the Government dragging its feet about deciding the uplinking permission of the Shell company MCCS. Does it really take so much time to find out that MCCS is merely a front company of STAR especially after looking at the brand and format licence agreement and shareholder agreement wherein it is very clearly spelt out as to who is the real controller of the editors and key personnel of the company? Will the Minister make a categorical statement on the floor of this august House? Will he kindly dissuade from suppressing the facts? Will he please share with us in this august House as to what are his real intentions regarding the permission for uplinking for STAR News Channel?

Madam, I do not like to go into the correspondence that I am having with Mr. Ravi Shankar Prasad in so far as my privilege application is pending with the Chairman. So, I don't like to comment on that. But, Madam, I would urge upon the hon. Minister, my good friend, that he must come out clearly and openly as to what is his difficulty that he is trying to suppress the facts from the House. Why should he not take the House into confidence? Madam, in short, I must tell this observation of mine, that whenever the Minister's attention has been called, then, only he comes with very detailed explanations; otherwise, he does not feel like sharing with us, with this august House about the policy formulations of the Government, particularly, the Ministry of Information and Broadcasting. Thank you.

*SHRI R. KAMARAJ (Tamil Nadu): Madam, Deputy Chairperson, on behalf of A.I.A.D.M.K. I rise to speak on this calling Attention on the implementation of Conditional Access System. Television, which was once the symbol of affluence has become a necessity now. Some 10 years ago, when Doordarshan had monopoly, cable network entered the Indian Market. Today crores of rupees are involved in this Cable TV business. But it is the consumers, the people who are exploited. In the beginning, a particular amount is charged for giving the connection. Then every month anything between 150 to 300 rupees is charged as subscription. So, there is need to regulate the subscription. 84.7 per cent people in the urban areas and 32.7 per cent people in the rural areas have access to Cable TV. The average subscription is said to be around 150 rupees. Yet the Cable TV network in the country collects Rs. 6200 crore as subscription annually.

Now under CAS, Cable operators have to provide 30 free channels for Rs.72 per month. It is said that the consumers have to pay according to the number of pay channels they wish to see. Then what in the benefit given the consumer who wish to watch pay channels? At present a monthly subscription of Rs.150 to 200 is charged for watching all the channels. But under CAS, while using set-top box, one will have to pay between 200 to 300 rupees for viewing pay channels. Set-top boxes also have to be bought. If the operators provide such channels that are not liked by people, what is the use of set-top boxes?

SHRI N. JOTHI (Tamil Nadu) : Madam, the concerned Minister is not here when we are speaking on Tamil Nadu. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Somebody else can write.

SHRI N. JOTHI: But, nobody is writing. Let us see who is writing. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Somebody will take down the notes. We have the Ministers here. They will take down the notes. There are Ministers sitting. The Minister of State for Home is sitting here. कपिल जी, अभी आप उनसे बात न करें। Let him take down the notes, please ...*(Interruptions)*...

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* English translation of the original speech delivered in Tamil.

SHRI N. JOTHI: What is the meaning of a debate, Madam?

THE DEPUTY CHAIRMAN: The Minister has gone out somewhere, you take down the notes.

श्री सुरेश पचौरी (मध्य प्रदेश) : महोदया, इतनी गंभीर चर्चा को पूरा देश टी.वी. के माध्यम से देख रहा है। ...**(व्यवधान)**... मैडम, इस गंभीर चर्चा को पूरा देश तो टी.वी. के माध्यम से देख रहा है, लेकिन सदन मे बैठे हुए मंत्री कुछ नही लिख रहे हैं।

THE DEPUTY CHAIRMAN: He is just coming. He must have gone to have a glass of water. Give the benefit of doubt to the person. Somebody else will write.

SHRI N. JOTHI: No alternative arrangement has been made, that is my worry. ...*(Interruptions)*... Don't treat us like this. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Arun Shourie is sitting in the back. You did not realise that he is listening and taking down the notes. You did not ask whether arrangement was made.

SHRI N. JOTHI: We rely on him.

THE DEPUTY CHAIRMAN: You rely on him and give him the benefit of doubt. But, one thing, before this is over ...*(Interruptions)*... Now, I want to make an observation that two hours were given for it. We have passed two hours limit. Now, either, according to the rules and the Chairman's instructions, I should close down the debate and finish it, or, if you all agree, because we have two Bills to be passed, if the House gives me an assurance that Members are going to sit through and pass them, then, I will allow everybody to speak, whosoever's name is on my table, or, I won't.

SHRI C. RAMACHANDRAIAH (Andhra Pradesh) : The House has already given its assurance.

THE DEPUTY CHAIRMAN: You have not given any assurance, officially, but there is a rider to it. Please abide by the rules which govern the Calling Attention. Don't make speeches, only put questions. So, put a question to the Minister, who will reply to it at the end. The debate has

already taken place; the Mover of the Calling Attention and other speakers also have taken ample time. So, please, abide by the rules and help me.

प्रो. रामगोपाल यादव (उत्तर प्रदेश) : महोदया, यह बार-बार गाज़ गिरती है।

उपसभापति : ऐसा ही होता है, क्या करें। यही तो समस्या है।

*SHRI R. KAMARAJ: Madam, I would like to know the kind of action the Government will take when the subscription is more than what has been fixed. Sometime, cable operators might refuse connection to houses where people refuse to pay the inflated charges. The operators might provide certain channels for limited hours and than stop relay What will the Government do under such circumstances? What are the free channels consumers will get under CAS? What are the pay channels to be made available? What will be the subscription for that? Whether the subscription will differ from place to place? The Government should clarify this.

When Cable TV set its foot, no Act was passed to regulate it. As a result, locally influential people entered the Cable TV market and slowly gained monopoly. These operators have introduced a local channel in which they show movies, through pirated VCDs. This is one of the reasons why the cinema industry is in crisis today. I would like to know from the hon. Minister whether there is any provision under CAS to check this?

Madam, some three months before, the Chennai based Sumangali Cable Vision, a multi-service provider, stopped relaying Star channels. When these channels went off the cable on 28th March, it was announced that the consumers need not to pay for Star channels. It was learnt from Star TV management that Rs.45 was charged for Star channels per month. But the subscription did not come down by 45 rupees. The Cable operators reduced only 20 to 25 rupees. This kind of monopoly still exists. Steps should be taken to check this trend and their income should be made transparent. They should also declare the number of connections they have.

Madam, it is the duty of State Government to protect and promote the language and culture of the State. Maintenance of law and order is also

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* English translation of the original speech delivered in Tamil.

3.00 P.M.

in the hands of the State Government. But when some Cable operators and multi-service providers relay programmers that can disturb peace in the State, will the Center empower the states to take necessary action. I request the hon. Minister to clarify this point. With these words I conclude. Thank you.

SHRI B.J. PANDA (Orissa): Madam Deputy Chairman, these two issues of Conditional Access System and uplinking for foreign channels are perhaps the most misunderstood of any legislation which has recently been enacted and on which directives have been issued by the Government in recent times. There is a great deal of disinformation and misinformation because it is such a hot topic throughout the country, but at the heart of it, it is a very simple issue. And the simple issue is whether the Indian television consumer should have the choice of choosing what he or she wants to see and pay for or not. This is at the heart of it. There are many technological issues, I will touch one or two of them. There are many other issues of principle but this is the one issue at the heart of it. Some of my very eminent colleagues have talked about this from a variety of perspectives. I would like to point out one argument that has been made is that the average price at which television is available for viewership throughout the country will rise. I want to clarify something here. We are talking about individual consumer choice. What Conditional Access System will, in fact, do in India is what it has done everywhere else in the world; that for the majority of consumers the cost will come down. But for a minority of consumers, the cost will go up. And I will give an example. Earlier, when the matter was taken up for legislation here -- when the amendment was passed -- I gave an analogy of the number of newspapers that an average Indian family takes. How would it be, if every Indian family were forced to take 12 newspapers everyday, and pay an average of Rs. 20 for them everyday?

It would not be fair because most families do not read 12 newspapers because they read only one or two newspapers. People like me read more than 12 newspapers. Most of my colleagues, here, read more than 12 newspapers. The same analogy applies if you go to a buffet lunch at any five star restaurant, you actually get a pretty good deal; for about Rs.500/-, you can get to eat everything that you want. But most people may not want that. A segment of people may want that. Most

people may prefer to go to a canteen and eat one or two items of their choice at a much lower price. What will CAS actually achieve? Madam, there is another point that needs to be understood. Yes, today, in fact, it is a very good value. But not for all. My eminent colleague, Mr. Sibal, pointed out that the value, today, of what the consumer gets for an average of Rs.157/- is quite good. They get a large number of, dozens of channels, and they pay an average rate. But I want to point out something to my colleagues here, that a large majority of the Indian television viewers are not able to access that average content. A majority of the television sets are black-and-white television sets, which can only view 12 channels. They are, in fact, paying an average rate, which is a weighted average of all the channels that are available, which they are not able to watch. The right thing, the fair thing is for people who are only able to watch 12 channels, to be paying something less than the average cost; and those who watch 80 channels ought to be paying more than the average cost, and there should be individual choice in what consumers choose.

With humility, I would also like to point out certain errors that have been stated. This is no reflection on the quality of my colleague, Shri Nirupam's speech, which I applauded. But with humility, I would like to point out two or three technical points. Sanjayji pointed out that these things are proprietary technologies, and that open CAS should be introduced in India. There is no such thing as open CAS. What is CAS? CAS is a technology simply to encrypt the channel, and to decrypt it, to decode it, at the customer's television set, by employing a decoder, which is known as a 'Set Top Box'. Anybody who creates this technology and sells it--and you are right, there are many, many companies which do it; they do it for profit does not give out their source code; there is no open CAS anywhere in the world. Now, this is not such an unusual situation. This applies to many other technological fields. Let us look at software. The vast majority of operating systems on computers throughout the world, run on something known as 'Micro-Soft Windows--and Micro-Soft Windows is not based on open source; its proprietary content belongs to Micro-Soft. Every computer that runs on Micro-Soft Windows pays a levy to Micro-Soft. This is not an unusual situation in software although there is, now, an effort to create an open source software. There is Linux, which is a widely accepted open source software, which, today, has a minority of the market share, but it is slowly gaining. But this is true of all kinds of fields. For example, do we expect Coca Cola to give out its secret formula to all its bottlers?

SHRI N. JOTHI: We do not want its secret formula!

SHRI B.J. PANDA: The point I am making is, yes, it would ideal to have an open source CAS, but, unfortunately, such a thing does not yet exist anywhere in the world.

SHRI SANJAY NIRUPAM: Why?

SHRI B.J. PANDA: Because there has not yet been enough development on this.

श्री संजय निरुपम : फिर कोरियन और चाइनीज़ सैट-टॉप बॉक्स क्यों इम्पोर्ट करते हैं?

SHRI B.J. PANDA: I disagree; it should not be the case. ...(*Interruptions*)... I support you, as I said. I am just humbly disagreeing on two technical points; otherwise, I almost entirely support what you have said and what many other colleagues have said.

CAS must be implemented, Madam, for the simple reason that the majority of our 40 million Cable TV viewers should pay less than the average cost, compared to what they are paying today, because they are not watching the average content, and a minority will pay more than the average cost, as they should pay, if they choose to take more content.

One or two other issues were raised, that if CAS is introduced,.....

SHRI SANJAY NIRUPAM: What would be the amount of less than the average cost?

SHRI B.J. PANDA: I am coming them one by one. The less than average price, as has been pointed out, is roughly Rs.110/-. ...(*Interruptions*)...

SHRI KAPIL SIBAL: It is Rs.157/-. ...(*Interruptions*)...

AN HON. MEMBER: Rs.110 is for free-to-air channels.

SHRI B.J. PANDA: The vast majority of the people, if they choose to watch only free-to-air channels, will get it at Rs.110/-, and that includes

thirty rupees tax, which is not uniform throughout the country. You are talking about the Maharashtra where there is a tax of Rs.30.

SHRI SANJAY NIRUPAM: It is the entertainment tax.

SHRI B.J. PANDA: The entertainment tax is less in some other places. ...*(Interruptions)*...

SHRI SANJAY NIRUPAM: So, the CAS is being implemented in Maharashtra. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Let him speak. ...*(Interruptions)*... Mr. Sanjay Nirupam, I know you are a very knowledgeable person about the case of CAS. But let him make his point. He has a right to do that. He is making a sensible speech which is not technical and I am learning something from him. So, let me, at least, hear him.

SHRI B.P. SINGHAL (Uttar Pradesh) : Shri Sanjay Nirupam is calling the attention. So, he thinks that he should take all the responsibility whenever any Member speaks.

SHRI SANJAY NIRUPAM: The hon. Member mentioned my name. That is why I was asking.

SHRI B.J. PANDA: I was congratulating you, Sanjayji. I was complimenting you, Sanjayji.

I would like again to humbly correct another submission, which has been made technically, that if the CAS is instituted, there will be no control over the channels that reach the subscriber. That is not true. The cable operators, as you have rightly pointed out, have to put up the encoding equipment of CAS at their head-end and the decoding equipment is the Set Top Box, one of which you showed. Now, they don't have control on either how it is encoded or on how it is decoded. But all that they have to do is to remove that plug and that channel does not go. They are under the ambit of the Cable Act. So, there is no such thing that the channels will reach a viewer, even if the Government legislates against it. That is not a fact. That will not happen.

I want to point out that there are four stake-holders, as Kapilji has pointed out. My view of the stake-holders is a little bit different. There are distributors, including MSOs and local cable operators, the last mail operators. What is their problem? Their problem is that they are forced to pay more to the pay channels today than what they can collect. They are being asked to charge a uniform fee from everybody. A majority of the viewers, 60-70 per cent, are saying, "we are not watching all these things and we are not going to pay for them". Now, the broadcasters are another important stake holder. What is their problem? As Kapilji has rightly pointed out, it is under-declaration of viewer. It is a fact that the broadcasters are being squeezed because the cable operators are not declaring all their customers. So, broadcasters are getting a short-shrift and that ought to be corrected. Government is also a stake-holder. That is often forgotten. This under-declaration leads to hugely reduced and suppressed taxes, both entertainment tax and service tax.

Finally comes the consumer. I have already addressed the issue of how the consumers are affected. I don't agree that an average of Rs.157 is a good deal. It is a good deal for those who are watching the average content or watching more than the average content. But for majority of the people, who are watching less than the average content, it is not a good deal. They have been forced to pay for a buffet, when they eat only one or two items. This situation is simply unsustainable. It has nothing to do with technology. Technology will keep changing. Today, there will be some Analogue system or there will be some digital system. Probably, tomorrow, there will be all digital systems. Today, they are capable of 80 or 90 channels. Tomorrow, it will be 500 channels. These are the issues which will come and go. But the fundamental issue is whether the current system is sustainable. It is not sustainable. If it is not sustainable, to wish that nothing will change and things will continue as they are, if you simply don't implement CAS, is an Ostrich like thinking. If you just suppress your head under the sand, everything will go on as it is. It would not. What will happen is that those who are distributing, the MSOs and the last mail cable operators, will be forced to start hiking the price again. We have talked about the price hike. The Minister has pointed out that 1,100 per cent price hike took place. I refer to my earlier speech which I made when the Act was amended. I gave statistics from published data in trade journals. He was, in fact, conservative. The price rise of pay channels, between 1998 and 2002, was 1,433 per cent. The rise in the cost of the pay channels was

1,433 per cent between 1998 and 2002. Now, you think of a distributor, either an MSO or a last mail cable operator or anybody. His cost has gone up by 1,433 per cent. How much has his top-line gone up? Everybody will tell you that five years ago, on an average, it was roughly Rs.100. In five years it went up from roughly Rs.100 to Rs.160. That means his top-line has gone up by 60 per cent. But his costs have gone up by 1,433 per cent. This is not sustainable. If you don't take action now, we will have continued increase in the price over the next 2-3 years. Today's average, Rs.157, will go up to Rs.200 or Rs.210 or Rs.220 average. ...*(Interruptions)*... Well in some places, but not in all places. So more and more people will be disaffected because they will not be able to watch that many channels. Madam, I do not want to take much time of the House. All I want to say is that CAS has been deliberated at great length in this country for three years. This House took a unanimous view in passing the legislation. Yes, there are cases for minor tinkering to improve it. At the time when the Notification was issued, there were only about 30 free channels. So they had mandated minimum 30 channels. Today, there are 60 to 70 free channels. There is no problem in mandating a minimum of 50 pay channels. The cable operators and the broadcasters are complaining about prices. I firmly believe the price ought to be freed up. Minimum and maximum ought to be stipulated, but prices ought to be freed up. For example, the distribution companies are supposed to provide minimum 30 channels at Rs. 72/-. Think of something. In one square kilometre of Mumbai, you will have at least 10,000 households. But in one square kilometre of Chennai you will not have 10,000 households. The cost of the network and the cost of distribution are different. That aspect ought to be looked into, if at all they decide to amend it and if they allow more channels. This density of population and the network costs ought to be looked into by the Ministry.

Madam, I do not want to take too much time on CAS alone. I would conclude by making a few remarks on the uplinking issue. I think the general sense of the House seems to be that there has been some kind of misuse of the provisions in the country. I want to make a point that these provisions in our country are not retrograde. In fact, every developed country in the world has restrictions on media ownership, particularly electronic media ownership and cross media ownership. In the instance of this particular company which has been debated so much - I am sure many hon. Members here are aware that 10 to 12 years ago Mr. Murdoch

had the option of either not owning a media company in America or taking up American citizenship because there is a restriction in America that media companies can be owned by non-citizens only up to a certain percentage - there was no such transaction of a licensing arrangement for news corporations to go and start operations in America beyond a certain limit. Now is there a case that there ought to be relaxation? Perhaps! A point has been made by Shri Sanjay Nirupam that if 49 per cent is allowed for foreign ownership in print media, why should only 26 per cent be allowed in electronic media. These are issues on which the Ministry has taken the opinion of the Standing Committee and this has been debated at length. I do not want to comment on how much it should be. The only point I wish to make is that whatever is the law of the land at any given position must be implemented without any exception, without any violation. The law of the land as it stands should be implemented. If the law changes tomorrow, we might well do it. We might well consider five years from now to relax these norms and then we will allow the relaxed norms. But as on today, whatever law stands, must be implemented. Thank you.

SHRI FALI S. NARIMAN (Nominated): Madam, this Calling Attention is on two topics and my comments and clarifications are restricted to the first part of the Calling Attention, *i.e.* implementing CAS. So far as the second part of the Calling Attention is concerned, it is a topic on which my mouth is shut because I have been professionally consulted. So I ask nothing and I say nothing.

I welcome the Government's Notification of 7th May. Madam, 30 free-to-air channels on payment of Rs. 72/- plus, it is, I believe, consumer friendly. I am most impressed with Shri Panda's clarity and instructive remarks. He is always worth listening whichever party he belongs to. The existing system is hopelessly haphazard. The rates charged by the cable operators go up depending upon the quantity of pay subscriptions. It depends too much on the economies of individual cable operators with the result that you have different rates in different areas in the same city even contiguous to one another.

I want to seek only two clarifications from the hon. Minister. So far as these 30 free-to-air channels at the rate which you have mentioned in your Notification are concerned, we do want an assurance in the interest of consumers that this will continue even after the big time cable operators's

which Shri Sibal says may happen, might be inducted into this business. Secondly, there is nothing in your statement, Sir, with regard to the service offered by cable operators. It is appalling and hopelessly faulty; and it must be improved. Many of us are victims of it. So, I would like to know your policy regarding the monitoring of services offered by cable operators today, and also when the new scheme comes into operation.

THE DEPUTY CHAIRMAN: Thank you for being brief.

SHRI C. RAMACHANDRAIAH : Madam, I fully support the concept of CAS. I can say that it is, without doubt, going to benefit a majority of our people.

So far as uplinking is concerned, I had the privilege of participating in a debate earlier also in this very House. Now, in the statement the hon. Minister has mentioned about the eligibility criteria for a company uplinking News and Current Affairs channels. Out of the six mentioned here, four are very important, namely, that the majority of its Board of Directors should be Resident Indians; the CEO of the applicant company, known by any designation, and/of Head of the channel should be a Resident Indian; News Editor(s) or authority (ies) exercising editorial control over news and current affairs programme (s) of the channel (s) should be Resident Indians. The last sentence of the Minister's statement is, "The case of one of the application seeking uplinking as per extant guidelines is under examination".

Madam, there is one aspect. We are in a transition phase. We have been appointing regulators in every activity. And despite the judgment of the Supreme Court in 1995, till today, we have not been able to appoint a Regulator.

Now, a number of hon. Members have raised objections. I have got some doubts and I want the hon. Minister to clear those doubts. Now, a majority of its Board of Directors are to be Resident Indians. Why is there this change in respect of the electronic media, when compared with what it is in respect of the print media, where three-fourth of the Directors should be Indian? That was the stipulation in respect of the print media. Why has it been reduced to simple majority? This is one question.

Secondly, you say that the CEO of the applicant company, known by any designation, and/of Head of the channel has to be a Resident Indian. That is very good. He has to be a Resident Indian. I fully agree with this. But, to what extent, is this guideline being followed? That is very important. Thirdly, you say that the News Editor or authority exercising editorial control over news and current affairs programme of the channel should be Resident Indian. It is very important for safeguarding the interests of our country. But why has this also been diluted when compared to what is stipulated in respect of the print media? There is share holders' agreement, and everybody is aware of this agreement which has been entered into; the Government cannot say that it is not privy to the agreement. They may not be privy to them, but those agreements are material to the applicant company.

So far as this particular company *i.e.* MCC is concerned, it has fulfilled the condition of being registered under the Companies Act and it has Resident Indians. Now, the total equity of that company has been shown as Rs.4 crores only. If it wants to acquire the state-of-the-art equipment, the minimum it will require will be between Rs.300 crores to Rs.400 crores. So, how can this particular company with an authorised and paid up capital of Rs.4 crores finance this, unless it is being financed by other elements? If that is so, who are those other elements? I need not go into the details because most of the Members have sought clarifications. Now, how can this particular company sustain when this industry needs state-of-the-art machinery? That is the question.

Thirdly, under the brand and format agreement that they have entered into, this particular licensee has to use the brand and logo of Star TV. That is the condition. To what extent is the use of a brand of a foreign company by a Resident Indian company desirable? The fourth aspect is with regard to a specific Clause, Clause 8, of the agreement for ensuring that the standards of channel-marks and formats maintained in the formats are complied with, the licensor - the licensor is Star TV - may, from time to time, recommend to the licensee to make changes amongst certain personnel employed by the licensee including certain reporters, anchors, editors and other executives, that is, the key personnel. "And the licensee shall effect such changes immediately, subject to the applicable laws." What sort of control this Indian company has got over this when not even a single peon can be appointed by that company? Not even a single peon can be

removed by that company, without the consent of the foreign company? How do you claim, how do you satisfy yourself that it is purely an Indian company? The licensee has no choice, but we effect those transfers, or, directions, as given by the company. Ultimately, the question will arise as to who is controlling this company, the so-called Indian company which you have been trying to satisfy? Who is controlling this company, either the Indian management or as Mr. Sanjay Nirupam mentioned in the morning, it is this Shell company which is a foreign company? The company requires 300 to 400 crores, whereas it has got only Rs.4 crores capital. How will that company sustain without the help of others? Naturally, when the financial investment is there, definitely, they will control the company.

Clause 9 says, "The appointment, removal, reappointment or replacement of any of the key personnel by the licensee shall require prior written approval of the licensor." Further, "In the event of any vacancy in any of the positions amongst the key personnel in the future, the licensee will immediately notify the licensor." It is nothing but prostrating before those companies; it is nothing but surrendering before those companies and mortgaging the interests of this country. "The licensee will immediately notify the licensor such vacancies in writing. The licensee shall suggest the name of the suitable candidate for the licensor and appointment of such candidate with the prior written consent of the licensor." So, nothing can be done. No decision can be taken by the so-called Indian company. These two clauses, which I have explained, spell out clearly as to who has got the editorial control. How is it being satisfied in our condition the one you have stipulated to get the eligibility--that the editorial control should be in the Indian hands? In the name of granting Star News brand the editorial control, it is being controlled by the foreigners only.

Clause 7 is virtually nuisance. They can't even amend the article of memorandum; they can't dispose the assets, they can't mortgage the assets, the day-to-day administration is also being controlled by the foreign company. I have to narrate most of the clauses which are there in the Agreement. Clause 8 states, "None of the Indian shareholders shall directly or indirectly cause" - this particular company, the so-called company which has been mentioned, i.e., MCC - to do any of the acts specified earlier in clause 7." They can't change the memorandum. They can't surrender even the uplinking approval. What is the freedom this company has got? What is the independence this particular company has got? Without the prior

consent of the lessor company... (*Time-bell*) Madam, this is my last point. This is a very dangerous clause. Clause 10 states, "The share holders' agreement will terminate" -- there is an agreement among the share holders because share holders have been changing from time to time; some Birla Group has entered and they have surrendered, some gentleman has come with Rs.1.3 crores. His balancesheet shows Rs.1.3 crores and he wants to acquire the shares of Rs.1.4 crores. I have seen his balancesheet, and it shows Rs.1.3 crores. I don't want to name the person. "The shareholders agreement will terminate upon SLBL and its affiliates, if any, ceasing to be the share holders of MCC company." Suppose, I am a share holder, if I cease to be the share holder of that company, that company will survive. If these foreign share holders cease to be the share holders, the company will liquidate. That is the summary of this clause. You see the logic behind this. You see the prudence. How are the Indian interests being protected? That is why I request that you should not only be transparent, you should appear to be transparent. How are the Indian interests being affected? We are inviting foreign direct investment in many fields. I do not have any objection, because we are moving in a globalised economy and other things. But, I want to know as to how you are going to protect the Indian interests. Till the constitution of this regulator, which you are going to do, why can't you keep all these things on hold for some time? Let the Regulator decide, because for every activity a Regulator has been appointed. I am not against any particular company...

THE DEPUTY CHAIRMAN: May I remind the hon. Member? We are not speaking on the legislation, we are speaking on the Calling Attention. Please come back to the Calling Attention.

SHRI C. RAMACHANDRAIAH: Madam, the last point. Kindly hold on. I was one of the speakers at the time when you assured the august House that all the guidelines would be followed. At 4.30 p.m. the debate was over, and by the evening you have signed the file. I got a reply from you. I wrote a letter to the Prime Minister and I got a reply to it. By the evening you signed the file. What regard does the Government have towards this august House? Thank you, Madam.

श्री अजय मारु (झारखंड) : उपसभापति महोदया, इस कालिंग अटैंशन पर जब पहले दस दिसम्बर को बहस हुई थी तो हमने इसी सदन में, इसे सर्वसम्मति से पास किया था। टी.वी. दर्शकों के लिए कैस प्रणाली के बारे में पिछले दिनों कितना कुछ लिखा जा चुका है। बेशक यह

CAS है लेकिन उपभोक्ताओं के लिए यह CASH हो गया है। उनकी जेब से और कितना कैश निकलेगा। इसलिए हालात ऐसे हो गए हैं कि जो उपभोक्ताओं को पैसा देना पड़ रहा है, उससे अधिक न देना पड़े। इसके लिए सब सदस्य ज्यादा चिंतित हैं कि इसमें उपभोक्ताओं के हितों का ध्यान रखा जाए। कैस प्रणाली से तीन वर्ग जुड़े हुए हैं। इसमें सबसे प्रमुख वर्ग उपभोक्ताओं का है जिसकी सबसे ज्यादा संख्या है। जैसा कि अभी बताया गया कि 44 मिलियन उपभोक्ता इससे जुड़े हुए हैं। हम इसके लिए जो डेढ़ सौ से तीन सौ प्रतिमाह दे रहे हैं, उसके बारे में बताया गया कि बार-बार केबल ऑपरेटर मनमाने शुल्क पिछले कई वर्षों से बढ़ा रहे हैं। मैं माननीय मंत्री महोदय से यह जानना चाहूंगा कि पहले साढ़े तीन से चार रुपए एक चैनल के लिए लेते थे, बाद में आपने उसका बुके बना दिया। उसमें ऐसे भी चैनल दिखाने लगे हैं कि जो हम देखना नहीं चाहते हैं, उपभोक्ता देखना नहीं चाहते। ये चैनल मनमाने तरीके से पैसे न बढ़ाएं, बढ़ोत्तरी न करें, मंत्री महोदय इसकी क्या गारंटी लेंगे कि वे उनको रोक पाएंगे। जो केबल ऑपरेटर्स हैं, जिनकी संख्या अभी निश्चित नहीं है, मैं मंत्री महोदय से यह जानना चाहूंगा कि जैसा कि माननीय सदस्य संजय निरुपम जी ने कहा कि एक लाख केबल ऑपरेटर्स हैं, सम्माननीय सदस्य कपिल सिब्बल जी ने कहा कि तीस हजार हैं, तो इनकी संख्या क्या है? कुछ केबल ऑपरेटर दर्शकों की संख्या सरकार से छिपाते हैं, पिछले दिनों दिल्ली में एक केबल आपरेटर के यहां रेड हुई। उसने दो हजार केबल कनैक्शन दिखाए हुए थे। जब उसकी चैकिंग हुई तो वे कनैक्शन बीस हजार पाए गए। जो वे अठारह हजार केबल कनैक्शन को नहीं दिखाते थे, उसके कारण प्रदेश सरकार को भी मनोरंजन कर का नुकसान हो रहा था और सर्विस टैक्स के रूप में केन्द्र सरकार को भी नुकसान हो रहा था और ब्राडकास्टरों को भी उसके पूरे पैसे नहीं मिलते थे। इसलिए इसके लिए माननीय मंत्री महोदय क्या स्टेप्स ले रहे हैं कि केबल आपरेटर्स की जो पूरी संख्या है, उपभोक्ताओं की क्या संख्या है, वह कैसे दिखाई जा सकेगी, यह मैं माननीय मंत्री महोदय से जानना चाहूंगा। कुछ चैनल्स जो मल्टीनेशनल कम्पनियों के हैं और कुछ अपने देश के चैनल्स हैं। इनमें एक जबर्दस्त होड़ मची हुई है। पहली होड़ है विज्ञापनों के लिए और दूसरी होड़ है सूचनातंत्र पर अधिकार करने के लिए। हर चैनल अपने नजरिए से समाचारों का विश्लेषण करता है। आर्थिक नफे-नुकसान के अलावा इनके अपने और भी कई इन्टरेस्ट हैं। मैं मंत्री महोदय से यह कहना चाहूंगा कि आपने जो उपभोक्ताओं को फ्री टू एयर 30 चैनल्स के लिए 72 रुपए प्रति महीने के शुल्क पर दिखाने का प्रावधान किया है। माननीय मंत्री महोदय का यह भी कहना है कि केबल आपरेटर्स इसी शुल्क पर 60 से 70 चैनल दिखाने को तैयार हैं। अच्छी बात है, मगर कानूनन उन्हें बाध्य नहीं किया जा सकता है। कहीं ऐसा न हो कि बाद में तीस से अधिक फ्री चैनल्स दिखाने के नाम पर अतिरिक्त राशि मांगने लगें। 72 रुपए के अलावा राज्य सरकारों को जब टैक्स के रूप में, सर्विस टैक्स के रूप में पैसा देना पड़ेगा तो यह उपभोक्ताओं पर 110 रुपए, 120 रुपए तक जाएगा। एक दूसरे सिस्टम, डी.टी.एच., डायरेक्ट टू होम की बात कही है। डी.टी.एच. के लिए कई चैनल कोशिश कर रहे हैं। चैनल संचालकों का कहना है कि जहां अभी कैस प्रणाली लागू नहीं होगी वहां हम डी.टी.एच. शुरू करेंगे। डी.टी.एच. थोड़ा महंगा है पर इसमें दूसरी सुविधाएं काफी हैं। सरकार को यह देखना होगा कि कहीं कैस प्रणाली, डी.टी.एच. और इसी प्रकार की दूसरी तकनीकी भाग दौड़ में मध्यम वर्ग के टी.वी. दर्शकों को पिसना न पड़े। ऊंची आय वाले तो एक प्रणाली से दूसरी प्रणाली में सुविधानुसार जा सकते हैं, तुरंत दस, बीस हजार रुपए भी खर्च कर सकते हैं लेकिन मध्यम आय वर्ग के लोगों के लिए यह संभव नहीं है। उनका पैसा सोच-समझकर खर्च हो, इनका हित भी देखना जरूरी है।

जहां तक अपलिंकिंग का सवाल है, चैनल्स की अपलिंकिंग का मामला है, सरकार ने इस बारे मे साफ नियम बना रखे हैं। अपलिंकिंग की सुविधा उन्ही चैनलो को मिलेगी जिनमे छब्बीस प्रतिशत से अधिक विदेशी स्वामित्व न हो। सरकार ने विदेशी स्वामित्व वाली कंपनियो को इसके लिए समय भी दिया था। देखना यह होगा कि इस मामले मे सिर्फ शब्दो का पालन न हो बल्कि नियमो की भावनाओ का भी ध्यान रखा जाए ...**(समय की घंटी)**... एक मिनट मैडम। कुछ विदेशी कंपनियो ने नियमो की खानापूर्ति के लिए अपनी कुछ हिस्सेदारी भारतीय कंपनियो को दे दी है, पर हो सकता है कि असली अधिकार उनके पास ही रहें इसलिए अपलिंकिंग की सुविधा देते समय इन सारी चीजो का भी ध्यान रखना होगा। हम अपने सूचना एवं समाचार माध्यमों पर विदेशी स्वामित्व की इजाजत नही दे सकते, मंत्री महोदय, इस चीज का भी ध्यान रखें। धन्यवाद मैडम।

श्री अमर सिंह (उत्तर प्रदेश) : धन्यवाद महोदया, इस सदन ने सर्वानुमति से कैस को पारित किया है। मैं इस बात को भी जरूर मानना चाहूंगा कि देश के तमाम लोगों की भांति मेरे मन मे भी कैस के बारे मे काफी भ्रांति रही लेकिन कैस के बारे मे अध्ययन करने के बाद यह निश्चित रूप से पता चलता है कि इस भौतिकता के युग मे कंज्यूमर शुड बी दि किंग। जो उपभोक्ता है उसे राजा होना चाहिए। अगर उपभोक्ता के नियंत्रण में यह चीज है कि वह जो चाहे वह देखे और जो देखना चाहे उसका पैसा दे, मेरे खयाल से अगर यह कैस का यह मूल आधार है और इस सदन मे यह सर्वसम्मति से पारित हो चुका है तब हमारी आपत्ति इस बात को लेकर है कि आदरणीय मंत्री जी इसका फेज्ड इम्प्लिमेंटेशन क्यो कर रहे हैं? एक जगह इन्होने तमिलनाडु मे, संभवतः अगर मेरी जानकारी सही है तो इन्होने वहां यह सीधे-सीधे कर दिया है। मैं पंडया जी को बधाई देना चाहूंगा, जिस तरह से इन्होने इस चीज को रखा है, आज भी ये तमाम लोग, जो कैस के बारे मे नहीं जानते हैं, उनके मन में भ्रांति है। इसके लिए भी मैं आदरणीय मंत्री जी से अनुरोध करूंगा कि कैस के बारे में बताएं कि उपभोक्ता को इससे क्या लाभ है। इस सदन में एक दिन चर्चा के दौरान आया कि बहुत से टेलीविजन सैट सिर्फ बारह चैनल ही दिखा पाते हैं। सत्तर से ज्यादा चैनल देखने वाले लोग सिर्फ हैज्ज को बिलोग करते हैं, हैज्ज नॉट को बिलोग नहीं करते हैं। हैज्ज के ऊपर थोड़ा ज्यादा पैसा लग भी जाए हैज्ज नॉट की रक्षार्थ तो कोई हर्ज नहीं है। । इस चीज को भी जनता के बीच ले जाने की आवश्यकता है। एक सवाल जो हमारे साथी कपिल सिब्बल जी ने उठाया है वह गंभीर सवाल है। यह सच है कि आपात स्थिति का, इमरजेंसी का जिक्र हुआ लेकिन आपात स्थिति मे प्रैस कंट्रोल होता था, गैग होता था, विरोधी बंद कर दिए गए थे, यह सब कांग्रेस के साथियो ने खुलेआम किया था। लेकिन आप लोगो से सविनय अनुरोध है कि कम से कम इस नियम के अनुसार लेजिटिमेटिली ऐसा कुछ मत कर दीजिएगा कि जो आप चाहे, विशेष रूप से दिखाया जाए, पचलित हो। कपिल सिब्बल जी का मैं बहुत सम्मान करता हूं। अगर इस आशय का उन्होंने प्रश्न उठाया है कि इस नियम के अनुसार इस तरह की आशंकाएं हैं तो इसको निर्मूल करने का भी काम करिए, क्योंकि लोकशाही मे यह बहुत जरूरी है। अब कपिल सिब्बल जी के बाद, पंडा जी के बाद और नारीमन जी के बाद बोलने को कुछ विशेष रह नही जाता है और मैं उपसभापति महोदया का बहुत आभारी हूं कि मुझे अंत मे बोलने दिया कि मैं जरा मंदबुद्धि हूं, इसलिए मुझे ज्यादा ...**(व्यवधान)**...

उपसभापति : अभी आप अंतिम नही हैं, अभी तीन-चार और हैं।...**(व्यवधान)**...

श्री अमर सिंह : तो प्रैस का जो टैक्नो-इकोनोमिक पजल है यह मेरी समझ मे नही आता है, लेकिन एक मोटी बात मैं समझता हूं कि जो विदेशी कंपनी स्टार है, मैं नाम ले रहा हूं, धृष्टता के लिए क्षमा चाहता हूं, एक लाख की पेड अप कैपिटल, अभी हमारे एक साथी भी बोल रहे थे, एक लाख की पेड अप कैपिटल से कई सौ करोड़ रुपये का वह बिजनैस करती है। मैं समझता हूं कि हॉर्वर्ड और वाटन जाने की जरूरत नही है। आप इनको बुलाइये। मैं एक करोड़ रुपया देता हूं और उससे उन स्वदेशी कंपनियों का निर्माण करें जो तीन-तीन सौ करोड़ का धंधा करें, तो मैं इनको प्रणाम करूंगा। एक लाख की पेड अप कैपिटल और तीन-तीन सौ करोड का धंधा। कभी कुमारमंगलम बिरला, कभी हमारे दोस्त सोहेल सेठ और यह जो कहा कि कई इसमे ऐसे-वैसे लोग हैं, कोई ऐसे-वैसे लोग नही हैं। राम करांजे वाला, वीर संघवी, सोहेल सेठ, ये सब समाज के ऐसे लोग हैं जो कि समाज के निर्माणों को प्रभावित करने की क्षमता रखने वाले बड़े लोग हैं। ये कोई सामान्य लोग नही हैं। मैं बहुत गंभीरता से कहना चाहता हूं कि यह बहुत गंभीर मामला है। ठीक है, अगर आप चाहते हैं कि खुली छूट दे दी जाए, तो कानून बनाइये, प्रावधान कीजिए। रूपर्ट मरडोक, ये महाशय कौन हैं? ये आस्ट्रेलिया के मीडिया मुगुल हैं। अमेरिका में इनकी नागरिकता को लेकर झंझट हुआ तो ये वहां के नागरिक बन गए। भारत बहुत बड़ी मंडी है। हो सकता है व्यापार के लिए कल आपके देश के नागरिक बन जाएं। अगर ये आस्ट्रेलिया छोड़ करके अमेरिका बस गए, तो अमेरिका छोड़ कर भारत मे भी बस सकते हैं। इनका इतिहास मैं आपको बताना चाहता हूं। आदरणीय मंत्री जी, 1992 मे जब इंग्लैंड की लेबर पार्टी ने क्रॉस मीडिया रेस्ट्रिक्शन की बात की तो इन्होंने इंग्लैंड में खुली चेतावनी सरकार को दी और कहा कि हम कंजरवेटिव को समर्थन करेगे। कंजरवेटिव जीत गए, टोरी जीत गए और रुपर्ट मरडोक ने खुले आम कहा कि हमने टोरीज को जिता दिया। इन्होने अपने देश को भी नही छोड़ा। अपने वामपंथियो को साथियों को हम बताना चाहेगे, ये जरा ध्यान दें। वहां पर लैफ्ट लीडिंग के गौ बैकलांग की वहां सरकार थी और उनका सब से बड़ा अखबार "द आस्ट्रेलियन" था। उस अखबार ने लेबर पार्टी के खिलाफ चुनाव मे काम किया, क्योंकि वे उनके बिजनैस मे साथ नही दे रहे थे। ऐसे व्यक्ति जो बुरा करते हैं, जो कि यह दावा करते हैं कि हम सरकारे बनाते हैं और बिगाड़ते हैं, मैं कहना चाहता हूं कि ऐसे लोग जो सांसदो को, राजनेताओं को प्रलोभन देते हैं, खरीदने की कोशिश करते हैं, ये विदेशी लोग जो देश की पूरी व्यवस्था मे आमूल-चूल परिवर्तन कराते हैं, उनके बारे में ऐसा अगर एक संदेश जाता है कि विशेष रूप से उनको सुविधा दी जा रही है, तो वह सही नहीं होगा। कोई देसी चैनल अगर जाता है तो उसके तो तलुवे रगड़ दिए जाते हैं और इनको हर हफ्ते एक्सटेंशन मिल रहा है, इनको अपलिंकिंग की सुविधा मिल रही है। ...**(व्यवधान)**... आप यह बताइये कि यह प्रोक्सी एडिटोरियल कंट्रोल जो इनका है, इसके बारे में आप क्या करने जा रहे हैं? यह हमारे दोस्त सोहेल सेठ - वोटिंग राइट उसको है। कुमारमंगलम बिरला को वोटिंग राइट था या राम करांजेवाला को है, वीर सिंघवी बड़े पत्रकार है उन्हें है। डायरेक्टर नही रख सकते। जो संजय ने अभी पढ़ा है, उसमे यह है कि कहीं पर कुछ कर ही नहो सकते, एक चींटी तक नहीं हिल सकती, लेकिन इन्होने तकनीकी रूप से सजा-धजा करके पेश कर दिया कि देखो स्वदेशियो को हम ले आए हैं। जैसे ही कोई जेबी सदस्य नही मिला, कुमारमंगलम बिरला हम नही कहते, सिब्बल जी, जैसे कि पार्किंग लाट का एलाटमेंट होता है, ये लोग व्यक्ति नही हैं, सब हमारे दोस्त हैं, मैं इनको प्रणाम और नमन करता हूं, लेकिन इन्होने अपने आपको पार्किंग लाट बना दिए हैं, रूपर्ट मरडोक की पार्किंग लाट। रुपर्ट मरडोक का पार्किंग लाट बन करके ये लोग बने हुए हैं और मंत्री जी, हफ्ता दर हफ्ता इनको

अपलिंकिंग की सुविधा दी जा रही है। यह बहुत खेद का विषय है। आपकी छवि बहुत अच्छी है, आप हमारे युवा साथी हैं। मैं कोई आरोप नहीं लगाना चाहता, लेकिन निश्चित रूप से संदेह की सुई घूमती है। अगर कोई ऊपर का दबाव हो या कहीं से यह आदेश आया हो कि रूपर्ट मरडोक को लाभान्वित करो तो अलग बात है, लेकिन मैं कहना चाहूंगा कि सूचना प्रसारण मंत्रालय के आप हैड हैं और इसलिए आप किसी दबाव को मत मानिए। मेरा आपसे यह अनुरोध है। अगर कोई देश के कानून को, कितना भी बड़ा मीडिया या आदमी, तोड़ रहा है और मनमानी करना चाहता है तो उसको रोकने के लिए आप क्या करेंगे? यह आप सदन को बताइए। मेरा आपसे इतना ही प्रश्न है। घंटी बज गई है। बहुत बहुत धन्यवाद।

उपसभापति: कोई तो है, जो आपकी घंटी बजा देता है। श्री सी.पी. तिरुनावुक्करासु।

SHRI C.P. THIRUNAVUKKARASU (Pondicherry): Madam, Deputy Chairman, thank you for giving me permission to participate in the Calling Attention. As far as the Metropolitan cities of Delhi, Calcutta and Chennai are concerned, the Conditional Access System has not been implemented there. On the other hand, it was introduced in Chennai alone. As far as Chennai is concerned, based on the feedback from MSOs, in Chennai, it has been decided to implement it at one go. And it was said here by several Members that the Sumangali TV System is the Multi-System Operators; they are having a lot of Television Channels under their control. I want to submit here that they are minting money like anything; it has already been alleged by my learned friends. My submission is that MSO is taking the responsibility of introducing the CAS in the whole city of Chennai. My further fear with regard to that is, instead of complimenting the Sumangali Television, they are putting mud on them, it is not good.

SHRI N. JOTHI: Nobody will appreciate the Chambal Valley people. ...*(Interruptions)*... Who will appreciate the Chambal Valley people? ...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU: I beg your pardon. What is it?

SHRI N. JOTHI: Nobody will appreciate Chambal Valley people.

SHRI C.P. THIRUNAVUKKARASU: You are the pioneer of Chambal Valley. This kind of unnecessary...*(Interruptions)*... You are ...*(Interruptions)*...

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* Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: No; I am not allowing. ...(*Interruptions*)...Let him speak. ...(*Interruptions*)...

SHRI N. JOTHI: Mr. Maran's family is dealing with it. ...(*Interruptions*)... He wants appreciation for that. ...(*Interruptions*)... Mr. Maran's own family is having five channels and they have centralized Sumangali Cable Vision. ...(*Interruptions*)...Sumangali Cable Vision has monopoly all over Tamil Nadu and he wants Chambal Valley to be appreciated!

SHRI C.P. THIRUNAVUKKARASU: You have swindled money. ...(*Interruptions*)...You have been convicted for two years. ...(*Interruptions*)...

SHRI N. JOTHI: No; these are not facts. ...(*Interruptions*)...It is his own imagination. ...(*Interruptions*)...

SHRI C.P. THIRUNAVUKKARASU: It is not imagination. ...(*Interruptions*)... It is a fact that you have been convicted...(*Interruptions*)... for not spending...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Please take your seat. ...(*Interruptions*)...No; not you. ...(*Interruptions*)... You have been allowed to speak, but don't bully him. ...(*Interruptions*)... Please sit down. ...(*Interruptions*)...

SHRI C.P. THIRUNAVUKKARASU: You are the ....(*Interruptions*)...

SHRI N. JOTHI: Madam, this is too much. I want it to be expunged from the record. ...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD : Madam, I would appreciate that the quality of the debate is indeed very high. ...(*Interruptions*)... I request the Members to just keep it that way.

SHRI C.P. THIRUNAVUKKARASU: Sir, I am doing that.

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* Expunged as ordered by the Chair.

THE DEPUTY CHAIRMAN: When Members from Tamil Nadu speak, they can never get out of Tamil Nadu. Their channels are only focussed on Tamil Nadu and on each other in this House. They only transmit to each other. The AIADMK transmits to DMK, and the DMK transmits to AIADMK. Beyond that, there is nothing. ...*(Interruptions)*...

SHRI C.P. THIRUNAVUKKARASU: Madam, I am not accusing anybody. ...*(Interruptions)*... Madam Deputy Chairperson knows about that. I have not said anything about the AIADMK at all. He just made some accusations against the Sumangali Television. I said...*(Interruptions)*...

SHRI N. JOTHI: They were not accusations. ...*(Interruptions)*... They were factual things.

SHRI C.P. THIRUNAVUKKARASU: The factual picture is that the Multi-System Operator is the Sumangali Television. It is mainly responsible for introducing pay channels in Chennai. ...*(Interruptions)*...The hon. Minister has stated this in his Statement also. I am reading it as it is from the Statement. I am not reading anything away from that. Another point which I would like to say...*(Interruptions)*...Madam, kindly direct him to go to his seat. I don't want his unnecessary running commentary. Then, they have imported 1,07,882 STBs. According to the Statement made by the Minister, "It is also expected that with the increasing demand and indigenous production and supply, the prices are likely to fall further. Steps are also being taken to ensure quality of the STBs." My submission is, you have purchased 1,07,882 Korean-made STBs. They are of inferior quality. And, you also mentioned that the prices are going to be reduced further. You also mentioned that steps will be taken to improve the quality of the STBs also. Under those circumstances, why do you want to dump all these things at Chennai? The prices are likely to fall further and the quality is going to be improved. If that is the case, why do you want to supply Korean-made STBs to Chennai? I want the hon. Minister to kindly think over this.

Finally, I would like to say that in the "Economic Times", New Delhi, it has been mentioned, "doubts have arisen because Star's Direct-to-Home applicant Space TV has been formed by Star employees (as promoters and CEO) with an equity base of Rs.10 crores. The source of funding is, therefore, open to question." My request to the hon. Minister is that if there are really benami transactions by Star TV, it may kindly be looked into.

Madam, further, I understand that the Star TV has not filed its income-tax return for the past four years. Under those circumstances, I want to know whether the Government of India, the Ministry wants to give uplinking facility and renew the licence further. It may kindly be clarified by the hon. Minister. Thank you.

SHRI EDUARDO FALEIRO (Goa): Madam, I think, the whole House agrees and I hope, the hon. Minister will also agree that there are serious loopholes in the uplinking guidelines. Therefore, I would urge the Minister to amend these guidelines, and while amending these guidelines, to take the Opposition into confidence. I am surprised on how these guidelines for uplinking which were made just a couple of months after the guidelines for print media maintain so many loopholes that the people take advantage of, as has been mentioned here. Therefore, in particular, I would urge the hon. Minister to amend these guidelines, and when amending them, bring them in line with the guidelines for the print media.

Secondly, Madam, Deputy Chairperson, now, the guidelines are there, whatever guidelines are there, they are there. It is the consensus of this House that whoever has violated these guidelines, whichever individual or entity has violated these guidelines, those persons should not be allowed to go scot free. Particularly, when it happens to -- it has been mentioned again here, and I am not taking the names at this stage -- entities which globally are trying to get a monopoly, not only of the electronic media but also of the print media. And within the country they are trying to get monopoly everywhere, from the radio to direct-to-home, to uplinking. Therefore, you have to take action against these entities. Don't allow them to go scot free. They are doing it globally, and they are not doing it for a good cause.

Thirdly, I would really urge the hon. Minister to do what the Supreme Court had asked the Government of India to do as early as in 1995. The Supreme Court, in the case of Union of India versus the Bengal Cricket Association had mentioned it very clearly that the Government should constitute a regulatory body and the relevant parties to this regulatory body should be independent, and autonomous, so that the things that have been mentioned here should not happen.

Now, let me clarify what I mean. It is so surprising that when you had the guidelines for uplinking, just a couple of months after the guidelines for print media, you make it in such a manner that all these problems now have arisen. For instance, the guidelines for the print media provided that at a minimum 51 per cent equity to be held by the largest Indian shareholder. Why did you drop that? Why did you make it 74 per cent and so fragmented that just you can have 74 Indian people with the control with the 26 per cent, the foreign partners? Why? Secondly, there is a clause in the print media guidelines for full disclosure. It is so good to have disclosure and transparency. Full disclosure, at the time of application, of shareholder's agreements and loans. This was made precisely to prevent *benami* agreements, and to prevent this web of deceit and this corporate veil, which I will in a moment demand, should be torn and should be ripped apart in some cases so that you get at the reality.

Then, the print media guidelines provided that three-fourths Directors on the Board to be Indians. Why did you reduce it just to majority? Why? You also provided that out of 26 per cent foreign equity, 50 per cent of it has to be raised through fresh issue of shares in the case of print media guidelines. That means, even 26 per cent, you cannot hold it, one alone, for 13 per cent you have to go to the market and that you have to fight to get this 13 per cent. Now, why have you dropped all these guidelines? Will you kindly enlighten the House? Also, the plea is here, which is a plea also, I suppose I represent the consensus of this House when I say that you bring the electronic media uplinking guidelines in line with this print media guidelines so that you avoid all these problems. Now, I have also mentioned here as a second point, where I would like to have the views of the Minister, because we are here not to make so much of speeches but to get the views of the Minister. We look up to you, Mr. Minister, to specifically deal with specific points that I and other colleagues are making here. As the second point, I had said here, "Take action against those who have violated the existing guidelines." And, now you have a series of people, and I have mentioned about the people who make this corporate web that you have to pierce through to get at the reality. Now, you have here, throughout the air wave system, throughout the broadcasting system, in FM radio service no foreign equity is allowed. However, see how it goes? No foreign equity is allowed, however, what happens? You have in the Radio City, foreign investment to the tune of Rs. 58 crores *via* DG Wave, which is a subsidiary of the Star-India; Radio

City- *via*-DG wave-*via*-Star India-*via*-the News Corporation of U.K. Actually, who is financing the Radio City, where no foreign capital investment is permitted? Who is financing; it is 100 per cent the News Corporation of U.K. Therefore, you have got to look at the reality, and cancel the licence because this is an abuse of the law, circumvent in the law. Cancel the licence of FM radio service; you show us really that you are taking action because even the existing law, which has so many loopholes, has got to be obeyed. We are not talking here about foreigners and Indians. As a matter of fact, having foreign companies is not so bad. It helps us compete. It helps us improve, but foreign companies cannot disobey the national laws. Everybody has to obey the indigenous laws, foreign, or, otherwise.

Then I mentioned about the radio. Now, look at what we have been talking here about, Direct to Home Service licence. Now, Direct to Home Service licence has to be a 100 per cent indigenous investment. How does it go? There is Space TV. The Space TV is created for this investment. The Space TV is in the name of two employees of Star, functioning on the same office of Star, which is a foreign company. The loan security of Rs. 10 crores has been given by the Star TV, which is a foreign company. Therefore, the Finance Ministry itself has said that equity being given by the two employees cannot be treated as domestic equity. However, the letter of approval has been given to Space TV. I would request that this letter of approval should be withdrawn, because it has been given in breach of law.

Thirdly, you have, what we have been talking about here, the uplifting of news and current affairs. Foreign equity of the promoters is just 26 per cent as per the law. There was a gentleman who bought 30 per cent of the equity at Rs. 1.2 crores, when running any reasonable new channel requires, at least, Rs. 300 crores. How does it happen? He buys 30 per cent of equity at Rs. 1.2 crores when the cost of 100 per cent is Rs. 300 crores. And then, see what happens. As per the agreement, the 30 per cent man does not count at all; 26 per cent corporation entity decides on the employees. All the employees are to be appointed, or, all of them are to be removed by the 26 per cent, not by the 30 per cent. The editorial control is in the hands of the 26 per cent, not on media content and communication with the Indian company, not in the hands of 30 per cent, not in the hands of the 74 per cent. *(Time-bell)*... And, to add to all this, the whole company can be dissolved, if the 26 per cent, the foreign component, does not want

4.00 P.M.

the company to survive. You see, if the other remaining 74 per cent wants the dissolution of the company, the company is not dissolved. But if the 26 per cent wants it to be dissolved, it is dissolved. So, this is how this company ...

THE DEPUTY CHAIRMAN : Mr. Eduardo Faleiro, would you leave some time for your colleagues?

SHRI EDUARDO FALEIRO : Sure, Madam.

THE DEPUTY CHAIRMAN : Then, you might stop now.

SHRI EDUARDO FALEIRO : Yes, Madam. So sweet of you!

THE DEPUTY CHAIRMAN : That I am; I know.

SHRI EDUARDO FALEIRO : Now, at the request of the Chair -- in fact, it is the direction of the Chair -- I would conclude. Mr. Minister, would you reply to the specific points that I have made?

[THE VICE-CHAIRMAN (SHRI RAMA SHANKER KAUSHIK) in the Chair]

श्रीमती सरोज दुबे (बिहार) : माननीय उपसभाध्यक्ष महोदय, सशर्त सम्पर्क प्रणाली (कैस) के कार्यान्वयन तथा विदेशी चैनलों की अपलिंकिंग नीति के बारे में जो वक्तव्य मंत्री जी ने प्रस्तुत किया है वह अपने आप में बहुत भारी विरोधाभास लिए हुए है। कैस उपभोक्ता को दर्शक मित्र दिखाने के पीछे जो स्वांग है उसके पीछे सच्चाई बहुत ही कड़ी है। बिना किसी बुनियादी तैयारी के घोषित कर दिया जाता है कि 14 जुलाई से चार महानगरों में कैस लागू कर दिया जाएगा। केबल ऑपरेटर्स की मनमानी से परेशान उपभोक्ता को यह भरोसा दिया गया कि कैस उनका मित्र है और उन पर आर्थिक बोझ कम पड़ेगा। दर्शक जितना देखेगा उतना ही पैसा देगा, अनचाहे कार्यक्रमों से उसे मुक्ति मिलेगी, बच्चों के कोमल मस्तिष्क को अपसंस्कृति से बचाने में उसको पूरी कामयाबी मिलेगी। महोदय, यह ताबड़तोड़ घोषणा हो गई, चार महानगरों में चरणबद्ध ढंग से कैस लागू करने की घोषणा कर दी गई। दिल्ली, मुम्बई में - पहले यह हुआ कि सम्पन्न इलाकों में कैस लागू किया जाएगा उसके बाद अन्य इलाकों में लागू किया जाएगा। इस तरह की दोहरी प्रसारण नीति को लागू करने की बात की गई। तो मैं माननीय मंत्री जी से जानना चाहती हूं कि इतनी हड़बड़ी क्या थी कैस को लागू करने में, क्योंकि कैस की चाल तो शुरू से ही बिगड़ गई थी। इतना भ्रम फैला दिया गया था, कुछ भ्रम जानबूझ कर फैलाया गया, कुछ अनजान बनकर फैलाया गया और उसका परिणाम यह हुआ कि भ्रमजाल में फंसकर विवादों में उलझकर यह कैस एक ऐसी अंधी गली में चला गया जहां न तो आगे जाने का कोई रास्ता है

और न पलटकर बाहर निकल जाने का कोई रास्ता है। हमारे काबिल मंत्री जी चार करोड़ दर्शकों के लिए एक नीति नहीं बना पाए। हालांकि उनका दिन भर यह ऐलान होता रहता है मीडिया और अन्य जगहों पर कि हम उपभोक्ताओं के पक्ष में हैं, हम उपभोक्ताओं के मित्र हैं। मगर अब कमान उनके हाथ से निकल गई है तथा ब्रॉडकास्टर्स और केबल ऑपरेटर्स के हाथ में चली गई और वे इतने शक्तिशाली हो गए हैं कि उनकी इस हाय तौबा ने प्रधान मंत्री जी को इसमें हस्तक्षेप करने के लिए मजबूर कर दिया। तो मंत्री जी से मेरा यही जानना है कि कैस लागू करने की क्या हड़बड़ी थी? कैस लागू करने से पहले सेट टॉप बॉक्स की कितनी जरूरत पड़ेगी, क्या उसका सम्पूर्ण तौर पर आकलन किया था? अगर आकलन किया गया था तो क्या उतनी संख्या में आपने सेट टॉप बॉक्स बाजार में उपलब्ध कराए या नहीं और उपभोक्ता दर्शकों को यह क्यों नहीं बताया गया कि हर टी0वी0 के साथ बॉक्स चाहिए और जब स्थान बदलेगा या घर बदलेगा या प्रदेश बदलेगा तो क्या वही सेट टॉप बॉक्स काम आएगा या दूसरे सेट टॉप बॉक्स की जरूरत पड़ेगी। यदि वहां सैट टॉप बॉक्स नहीं मिला तो क्या उतने दिन वे उन कार्यक्रमों से वंचित रह जाएगा। इस तरह के सवाल उपभोक्ताओं के मन में उठते रहे और सरकार के नित्य बदलते हुए बयान से उपभोक्ता दर्शक परेशान हो गया। तो क्या उसे सूचना और मनोरंजन के मौलिक अधिकार से वंचित होना पड़ेगा? यह कैसा कैस मित्र है जो हमें हमारी सूचना और मनोरंजन के अधिकार से वंचित करने आ रहा है। सरकार ने नियम बनाते हुए केबल ऑपरेटर्स को निर्देश दिए कि वह अपने केबल के माध्यम से कम से कम 30 चैनल दर्शक के टी0वी0 पर उपलब्ध कराए। इसके लिए 72 रुपए और सभी करों सहित करीब 100 रुपए प्रति माह देना पड़ेगा। शैक्षणिक, खेल, संगीत, ज्ञान आदि के वर्गीकरण में केबल ऑपरेटर्स को यह तो निर्देश दिए गए पर यह निर्देश नहीं दिया गया कि वह कौन से चैनल दिखाए। इसमें निशुल्क चैनल देखने वालों में दर्शकों को अपनी राय शामिल करने का कोई भी रास्ता नही दिया गया। केबल ऑपरेटर आज भी अपनी मर्जी से चैनल दिखाते हैं और कैस आने के बाद भी वे अपनी ही मर्जी से चैनल देखने को मजबूर कर देगा। इसका नियंत्रण कौन करेगा? दर्शक के हितों को कौन देखेगा, यह मैं आपसे जानना चाहती हूं। सैट टॉप बॉक्स विदेशों से आयात किए गए। हमारा लगभग 24 सौ करोड़ रुपया बाहर चला जाएगा। जैसाकि निरुपम जी ने बताया कि हमारे देश में आई.आई.टी. कम्पनियां इस तरह के सैट टॉप बॉक्स बनाती हैं। मैं मंत्री जी से कहना चाहती हूं कि बिल पास होने और लागू करने के बीच काफी समय था। अगर आप चाहते तो सैट टॉप बॉक्स इंडस्ट्री को प्रोत्साहन देते और अपने ही देश में सैट टॉप बॉक्स बनाने की तैयारी कर लेते। ऐसा क्यों नहीं किया गया? इसके अतिरिक्त आप मुझे क्षमा करेंगे किन्तु मैंने माननीय बाल ठाकरे जी का एक बयान पढ़ा कि लंदन की एक कम्पनी के साथ इनका गुप्त करार हो गया है जिसमें करोड़ो का हेर-फेर हुआ है। मैं माननीय मंत्री जी से जानना चाहूंगी कि असलियत क्या है? इसमें सच्चाई क्या है? यह बयान उन्होंने किस बात से प्रेरित होकर दिया? महोदय, जिस हड़बड़ी में यह लागू हुआ, उससे हर व्यक्ति के मन में यह शंका उठती है कि ऐसा क्यों हुआ? ...**(समय की घंटी)**... सैट टॉप बॉक्स की टेक्नोलॉजी के संबंध में अन्य माननीय सदस्यों ने जो शंकाएं जाहिर कीं, मैं उनके स्वर से अपने स्वर को मिलाकर जानना चाहती हूं कि टेक्नोलॉजी के बारे में आप स्पष्ट करें कि हमारे देश के हित को किसी प्रकार का कोई खतरा नही होगा। छोटे-बड़े केबल ऑपरेटर इस तरह की व्यवस्था में बेरोजगार हो जाएंगे। उनके भविष्य के बारे में भी मैं जानना चाहूंगी क्योंकि ये केबल इंडस्ट्री को नष्ट कर रहे हैं। महोदय, मैं थोड़ा-सा समय और लूंगी।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : एक मिनट में समाप्त कर दीजिए।

श्रीमती सरोज दुबे : महोदय, दो मिनट का समय और लूंगी। 15 जुलाई को प्रसार की तारीख कभी भी ब्रॉडकास्टर्स को पसंद नहीं आयी थी। यह भी सच है कि बहुराष्ट्रीय प्रसारकों ने कैस की योजना को कमजोर करने में कोई कसर नहीं रखी और उसमें उन्होंने सफलता भी हासिल की। प्रारम्भ में यह तनाव प्रसारक और केबल ऑपरेटर के बीच में था क्योंकि प्रसारक केबल ऑपरेटर पर ही निर्भर करते थे। ज्यों ही दो रुपए का रेट और फ्री टू एयर चैनल की बात सामने आयी, प्रसारकों ने तुरंत रेट बढ़ाकर झटका दे दिया। उन्हें मालूम है कि कन्टेंट प्रोवाइडर ये ही लोग हैं। AXN टाइप के चैनलों में एडल्ट मूवीज़ और एडल्ट कार्यक्रम दिखाने के लिए जनता की मांग है और इसके लिए वे जो दाम चाहेंगे, उन्हें मिल जाएंगे। अतः वे कैस के चक्कर में पड़ना ही नहीं चाहते थे। बड़े-बड़े बहुराष्ट्रीय वित्त पोषित प्रसारक अपनी बात पर इसी प्रकार अड़ जाते हैं और न जाने क्यों हमारी सरकार भी उनके सामने झुक जाती है, उनके सामने अपनी सहानुभूति दिखा देती है। उसका नतीजा हमारे केबल ऑपरेटर को और हमारी कैस की इस योजना को देखना पड़ा। महोदय, अगर यही रवैया रखना था, अगर ब्रॉडकास्टर के सामने ही आपको नतमस्तक होना था तो फिर केबल ऑपरेटर को आपने सब्ज़ बाग क्यों दिखाए? उन्होंने तो बॉक्स वगैरह के लिए कम से कम दो सौ करोड़ रुपए लगा दिए।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : अब कृपया समाप्त करें।

श्रीमती सरोज दुबे : महोदय, अगर इसी प्रकार से दोहरी व्यवस्था लागू रही तो सैट टॉप बॉक्स कौन खरीदेगा? इसी बीच कैस की तीसरी व्यवस्था की बात भी चल गयी कि पहले एक हिस्से में लागू होगा, फिर दूसरे हिस्से में और फिर तीसरे हिस्से में लागू होगा। मैं यह जानना चाहती हूं कि इस मिसमैनेजमेंट का जिम्मेदार कौन है? एक तरफ कैस को उपभोक्ता दर्शक का मित्र बनाकर पेश किया गया और कहा कि 15 जुलाई को लागू हो जाएगा। दूसरी तरफ कैस को सीमित क्षेत्र में लागू करके केबल वालों को बताया गया कि तुम्हारे फायदे की चीज है और तीसरी तरफ प्रसारकों को डीटीएच का भरोसा देकर ही नहीं बल्कि उनको एक इरादा पत्र देकर उनके लिए वातायरण तैयार कर लिया गया। मैं जानना चाहती हूं कि इतनी भ्रम की स्थिति पैदा क्यों की?

महोदय, एक बहुराष्ट्रीय मीडिया चैनल ने आज से दो साल पहले ही कोई सौ करोड़ रुपये डीटीएच बिज़िनेस में लगाए थे। बहुत पैरवी करने पर भी उसको परमिट नहीं मिला। इसी बीच प्रसार भारती ने, जब सरकार कैस में उलझी हुई थी, डीटीएच का रास्ता निजी कम्पनियों के लिए प्रशस्त कर दिया। यहां भी प्रसार भारती निजी चैनलों के निजी डीटीएच के लिए रास्ता खोलने वाला हुआ। इससे भी कैस का आधार कमजोर हो गया। मैं यह जानना चाहती हूं कि जब सरकार कैस के मामले में उलझी थी तो डीटीएच का रास्ता इन्होंने क्यों खोला और प्रसार भारती ने ऐसा काम क्यों किया? महोदय, अब मैं अपलिंकिंग के मामले में कुछ सवाल करना चाहती हूं।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : कृपया आसन ग्रहण करें।

श्रीमती सरोज दुबे : महोदय, केवल अपलिंकिंग के बारे मे पूछकर अपनी बात समाप्त करूंगी। स्टार न्यूज़ ने देश के तमाम नियमो को ताक पर रखकर अपना चैनल शुरू कर दिया। किस तरह से SHALL कम्पनी ने हमारे देश के कानून का मजाक उड़ाया है। कहने को 26 प्रतिशत शेयर Rupert Murdoch के पास हैं। लेकिन जो बाकी 76 परसेंट हैं वे उन्हीं लोगों के पीछे घूम रहे हैं। मैं सरकार से, मंत्री जी से जानना चाहती हूं कि क्या हम भारतीयो के लिए ही आपके सारे कानून हैं? जो बहुराष्ट्रीय कम्पनियां हमारे यहां आकर हावी होना चाहती हैं, उनके लिए आपका कौन सा कानून है? अगर आपने शुरू मे ही ब्राडकास्टरों पर नियंत्रण कर लिया होता तो जो आज हमारी यह कैस योजना है, यह इस तरह से फेल नही होती। उसको तो सब तरफ से मिलकर पंचर कर दिया और यह कैस की योजना विफल होती नजर आ रही है। अब तो ऊपर वाला ही मालिक है कि कैस कैसे चलेगा? इन शब्दो के साथ मैं अपनी बात समाप्त करती हूं।

श्री सुरेश पचौरी : उपसभाध्यक्ष महोदय, जहां तक मेरी पार्टी का प्रश्न है, हम किसी टेलीविजन चैनल यार मे अपने आपको उलझाना नहीं चाहते हैं। लेकिन सरकार की जो मीडिया के बारे मे नीति है उसमें अपरिपक्वता और अदूरदर्शिता लक्षित हो रही है। इसके साथ ही यह भी दिख रहा है कि यह सरकार राजनीतिक हित साधने की दृष्टि से कंडीशनल एक्सेस सिस्टम के मामले में कोई स्पष्ट नीति नही बना पा रही है, इन सब बातों को मैं उजागर करना चाहता हूं। महोदय, बारम्बार यह कहा जा रहा है कि "केबल टेलीविजन नेटवर्क अमेंडमेंट 2002" इस सदन मे सर्वानुमति से 10 दिसम्बर, 2002 को पास किया गया था, बात सही है। लेकिन जिन बातो को विश्वास में लेकर वह बिल पास किया गया था क्या उन बातो का परिपालन हुआ है? क्या वह सब दिख रहा है जो उस बिल मे उस समय उल्लिखित किया गया था। गर्वनमेंट आफ इंडिया ने एक नोटिफिकेशन जारी किया था। जिसके तहत यह कहा गया था कि कंडीशनल एक्सेस सिस्टम का क्रियान्वयन चार मैट्रोज मे 15 जुलाई, 2003 तक हो जाए। उस नोटिफिकेशन का परिपालन न करने की क्या वजह है? क्या वजह है कि माननीय मंत्री जी ने 21 जुलाई, 2003 को इसी सदन मे अपने प्रश्न संख्या-82 के उत्तर में यह कहा कि चार मैट्रोज से हटकर हम फेज वाइज, जोन वाइज मैनर मे इस कैस को लागू करेगे। पहले कहा जाता है कि 14 जुलाई तक चार मैट्रो सीटीज मे इसका परिपालन हो जाएगा। फिर कहा जाता है कि फेज वाइज, जोन वाइज होगा। यह जो शिफ्टिंग हो रही है, इसके प्रति हम लोगो को कुछ कहना है। आखिर क्या वजह है कि कंडीशनल एक्सेस सिस्टम के मामले में जो अनिश्चितता का वातावरण बना हुआ है, उस अनिश्चितता के वातावरण को माननीय मंत्री जी कृपापूर्वक स्पष्ट करें कि वह कब और कैसे दूर करेगे? माननीय मंत्री जी यह बताएं कि उपभोक्ता के हितों को दृष्टिगत रखते हुए चार मैट्रो सिटीज मे जो लगभग 3.8 करोड़ उपभोक्ता हैं, उनके हितों को दृष्टिगत रखते हुए यह कब और कैसे शुरू करने जा रहे हैं? उसे वे किस ढंग से जस्टिफाई करेंगे, यह मैं माननीय मंत्री जी से जानना चाहूंगा। महोदय, जहां तक पे टू चैनल और फ्री टू एयर चैनल का प्रतिशत है, मैं चार मैट्रो सिटीज मे दिल्ली, चेन्नई, कोलकाता और मुम्बई का उल्लेख करना चाहूंगा। दिल्ली में पे-चैनल देखने वाले 75 प्रतिशत हैं तो 25 प्रतिशत फ्री चैनल वाले हैं। कोलकाता मे 59 परसेंट हैं तो फ्री चैनल वाले 41 परसेंट हैं। मुम्बई मे 72 परसेंट पे चैनल वाले हैं तो 28 परसेंट फ्री चैनल वाले हैं। चेन्नई मे पे चैनल वाले 29 परसेंट हैं तो 70 परसेंट फ्री चैनल वाले हैं। अगर टोटल प्रतिशत देखा जाए तो पे चैनल का 61 परसेंट है और 39 परसेंट फ्री चैनल का है। इसी

प्रकार जो फ्री टु एयर चैनल हैं, ये 61 बताए गए हैं। इनमे 21 ऐसे चैनल हैं जो रीजनल चैनल हैं। उनमे कुछ ऐसे चैनल हैं जिनको देखने में लोग दिलचस्पी नहीं रखते हैं। यह कहा जाए कि हम फ्री टु एयर चैनल काफी ज्यादा कर रहे हैं, इस औचित्य को आप कैसे सिद्ध करेंगे? मैं आपके जरिए से यह भी जानना चाहूंगा कि जो पे चैनल का रेट है वह क्या होगा? इसको आप किस ढंग से रेग्युलेट करेंगे? जहां तक सरकार के कंट्रोल का प्रश्न है, जो केबल टेलीविजन नेटवर्क अमेंडमेंट बिल है, उसके सैक्शन-4(ए) का उल्लेख माननीय कपिल सिब्बल जी ने किया है। इसका शॉर्ट टाइटल है, ट्रांसमिशन ऑफ प्रोग्राम थ्रू एड्रेसिंग सिस्टम। उन्होंने इसके सैक्शन 4ए के सब सैक्शन 2 का उल्लेख किया, मैं सब सैक्शन 3 का उल्लेख करना चाहूंगा "The Central Government may specify in the notification, referred to in sub-section (2), the number of free-to-air channels to be included in the package of channels forming basic service tier for the purposes of that sub-section and different numbers may be specified for different States, cities, towns or areas, as the case may be." हमने उस समय यह आशंका जाहिर की थी कि जहां तक इन चैनल्स का मामला है सरकार का किसी भी प्रकार से हस्तक्षेप नहीं होना चाहिए लेकिन देखने में यह आ रहा है कि सरकार किसी न किसी प्रकार से दखलंदाजी करने की कोशिश कर रही है। इसका कारण बहुत साफ है। नम्बर एक कारण यह है कि पहले तो यह कहा गया कि सेट टॉप बॉक्सेज 14 जुलाई तक उपलब्ध करा दिए जाएंगे, अब माननीय मंत्री जी ने अपने उत्तर में यह कहा कि यह 1 सितम्बर तक हो जाएंगे और उसके आगे की सीमा नवम्बर तक रखी है। यह कैसे सुनिश्चित करेंगे कि इस समय सीमा में माननीय मंत्री जी ये उपलब्ध करा देंगे और अगर उपलब्ध करा देंगे तो उनका रेट क्या होगा? आपसे पहले पूर्व मंत्री ने कहा कि सेट टॉप बॉक्सेज की कीमत 1500 से 1800 तक रहेगी। मैं जानना चाहता हूं कि उस आश्वासन का क्या हुआ? आप उस आश्वासन की पूर्ति-परिपूर्ति कैसे करेंगे, आप कैसे वे सारे सेट टॉप बॉक्सेज उपलब्ध कराएंगे? क्या वे एनालॉग बाक्सेज होंगे या डिजिटल बॉक्सेज होंगे? अगर डिजिटल होंगे तो उनकी क्वांटिटी और क्या क्वालिटी होगी, क्या इस संबंध मे आप अपना कोई स्पष्ट उल्लेख करना चाहेंगे? हम यह जानना चाहते हैं कि भारत मे बनने वाले सेट टॉप बॉक्सेज का उपयोग क्यो नही किया जाता है। एक तरफ यह बात हो रही है कि एक विदेशी हमारे टी.वी. चैनल पर वर्चस्व जमाने की कोशिश कर रहा है, दूसरी तरफ यह हो रहा है कि विदेश मे बनने वाले सेट टॉप बॉक्सेज हमारे देश मे लाने की कोशिश की जा रही है। क्या कोई ऐसी हिंदुस्तानी कंपनी है जो सेट टॉप बॉक्सेज बनाने का जिम्मा उठाने के लिए तैयार है? मान्यवर, मेरी अपनी जानकारी के अनुसार ...**(समय की घंटी)**... क्योंकि शायद मैं अंतिम वक्ता हूं इसलिए मैं तीन-चार बाते कहकर अपनी बात समाप्त करूंगा।

उपसभाध्यक्ष (श्री रमा शंकर कौशिक) : नहीं, अभी और भी हैं।

श्री सुरेश पचौरी : क्या हिंदुस्तान में ऐसी कंपनियां आगे आई हैं जिन्होने यह पहल की है कि वे सेट टॉप बॉक्सेज बनाकर देंगी? यदि बनाकर देंगी तो उनकी कीमत कितनी होगी, यह मैं माननीय मंत्री जी से जानना चाहूंगा? कंडीशनल एक्सेस सिस्टम को लागू करने के संबंध मे उन्होंने जो समय-समय पर बयान बदले हैं, मैं उनके बयानों का उल्लेख नही करना चाहता, उनसे पूर्ववर्ती मंत्री का उल्लेख करते हुए आपको स्मरण कराना चाहूंगा कि 21 जुलाई, 2003

को आपने इसी सदन मे अपना जो बयान दिया है, क्या उस आश्वासन को समय सीमा ध्यान मे रखते हुए पूरा करेगे? 72 रुपए बेसिक टायर चैनल्स के लिए फिक्स किया गया था, हमे यह जानकारी मिली है कि केबल ऑपरेटर्स ने इसे अमान्य कर दिया है। मैं माननीय मंत्री जी से यह जानना चाहता हूं कि सेट टॉप बॉक्सेज और इस सिस्टम की जो इकोनॉमी है, आप उसे कैसे बैलेस करेगे? मैं माननीय मंत्री जी से तीन-चार सवाल इस कैस के मामले मे पूछना चाहता हूं। नम्बर वन, आप कंडीशनल एक्सेस सिस्टम की अनिश्चितता कब और कैसे दूर करेगे? नम्बर 2, केबल की दरो मे कितनी वृद्धि हुई है? हमारे देश मे टेलीविजन का रेट ऑफ ग्रोथ क्या है? इस रेट ऑफ ग्रोथ की जो डिटरमिनेशन है उसमे उपभोक्ता का क्या रोल रहेगा, आप इसे कैसे स्पष्ट करेगे?

आखिरी बात अपलिकिंग के संबंध में कहकर समाप्त करना चाहता हूं। जैसाकि मेरे साथी कपिल सिब्बल जी और फेलेरियो जी ने कहा कि जहां तक अपलिकिंग की पॉलिसी है उसके संबंध मे सुप्रीम कोर्ट का, क्रिकेट एसोसिएशन ऑफ बंगाल का जो निर्णय है, ओपन स्काई पॉलिसी के संबंध मे, जो संविधान के आर्टिकल 19 (ए) की परिधि मे है, हम उसके परिपालन के पक्षधर हैं। आपने स्वयं अपने उत्तर मे प्रश्न पांच पर यह कहा है। मैं उसका उल्लेख करना चाहूंगा। एक नोट मंत्रिमंडल को मार्च, 2003 मे प्रस्तुत किया गया, क्योकि यह महसूस किया गया था कि ऐसी चिंताओ की ओर भारत से टी.वी.चैनलो की अपलिकिंग से संबंधित मौजूदा नीति मे पर्याप्त ध्यान नही दिया गया था। यदि मौजूदा नीति मे पर्याप्त ध्यान नही दिया गया था, तो इस पर्याप्त ध्यान न देने के लिए कौन जिम्मेदार है? निश्चित रूप से सरकार मे बैठे हुए वे लोग जिम्मेदार हैं जिन्होंने इस पर ध्यान नही दिया, इस संबंध मे आप क्या कहना चाहेगे? दूसरा, आपने अभी के बयान मे यह भी कहा, पृष्ठ 5 पर सबसे ऊपर की लाइन मे "कि यह वांछनीय होगा कि समाचार-पत्रो का स्वामित्व मुख्यत: भारतीय हाथो मे हो" मैं जानना चाहता हूं कि यदि संपादक के मामले मे कोई परिवर्तन होता है तो क्या वह क्लीयरेंस इन्फर्मेशन एंड ब्रॉडकास्टिंग मिनिस्ट्री से लिया जाएगा? यदि लिया जाएगा, तो क्या सरकार का अंकुश नहीं रहेगा? और यदि अंकुश रहेगा तो जो केबल टेलीविजन नेटवर्क अमेंडमेंट बिल के सैक्शन 4-ए के सब सैक्शन 2 एंड 3 और उसके आगे के सब सैक्शंज मे उल्लेख किया गया है, क्या उसका परिपालन होगा? मैं यह जानना चाहता हूं कि क्या यह सरकार स्वीकार करती है कि अपलिकिंग के मामले मे जो मौजूदा नीति है, वह अपूर्ण है, क्योकि अपने स्वीकार किया है कि पर्याप्त ध्यान नही दिया गया।

[उपसभापति महोदया पीठासीन हुईं।]

मैं यह जानना चाहता हूं कि जिन चैनल्ज के पास पहले लाइसेंस था और जो नए चैनल आए, उनकी समय-सीमा समान रखी गई है, किसी की समय-सीमा एक साल रखी गई, किसी की तीन महीने रखी गई। समय-सीमा समान हो या असमान हो, इसके पीछे आपके क्या तर्क हैं, यह मैं आपसे जानना चाहूंगा? माननीया उपसभापति महोदया, इससे पहले कि मैं अपनी बात समाप्त करूं, मैं आपके जरिए यह स्पष्ट करना चाहूंगा कि जहां तक कंडीशनल एक्सेस सिस्टम का प्रश्न है, हम इसके पक्षधर हैं, लेकिन क्या नीति अपनाई जाए, क्या प्रोसैस एडॉप्ट किया जाए, जो वचन दिए जाएं, जो आश्वासन दिए जाएं, जिस समय-सीमा का उल्लेख किया जाए, उसको सुनिश्चित करना बहुत आवश्यक है। हम यह सुनिश्चित करना चाहते हैं कि जहां तक उपभोक्ताओ के हितो

का ध्यान है, उपभोक्ताओ के संरक्षण का ध्यान है, उस पर वरीयता और प्राथमिकता के आधार पर सरकार को ध्यान देकर इस विषय मे निर्णय लेना चाहिए। धन्यवाद।

श्री कृपाल परमार (हिमाचल प्रदेश) : उपसभापति महोदया, आज सुबह से इस ध्यानाकर्षण प्रस्ताव के माध्यम से सदन मे सशर्त संपर्क प्रणाली पर चर्चा हो रही है। अंतिम वक्ता हूं, इसलिए सभी प्रबुद्ध वक्ताओ के बयान सुन कर अपना ज्ञानवर्द्धन करने का मौका मिला है, लेकिन वही मुझे इस बात का अफसोस भी हुआ कि जिस वर्ग और जिस भावना के साथ, आज से छः माह पूर्व इसी सदन ने इस संशोधन को पारित किया था, वह भावना और वर्ग आज राजनीतिक लड़ाइयो मे और कैस सैट अप बॉक्स बनाने वाली कंपनियो की लड़ाइयो मे दब कर रह गया है। यह भावना थी कि इस देश की जनता को किस प्रकार विदेशी चैनलो के माध्यम से हो रहे सांस्कृतिक दुष्प्रभावों से बचाया जाए और वह वर्ग था हमारा मध्यम वर्ग, जो चैनलों की पूरी पेमेंट नही कर सकता, किस तरीके से उसको राहत दी जाए। लेकिन चर्चा का रुख दूसरी ओर मुड़ गया और वह भावना और वर्ग जो था, वह इस लड़ाई मे दबकर रह गया। मैं उसी भावना और वर्ग को यहां पर उजागर करना चाहता हूं। उपसभापति महोदया, आज के जमाने मे किसी भी देश पर प्रभुत्व जमाने के लिए कई प्रकार के हथकंडों का इस्तेमाल किया जाता है, राजनीतिक, आर्थिक, सामाजिक और सबसे खतरनाक हथकंडा है कि किसी देश और प्रदेश की सांस्कृतिक धरोहर को खंडित करके रख दिया जाए। आज सुबह से शाम तक, चौबीस घंटे विदेशी चैनलो पर हमे जो दिखाया जाता है, वह हमारी संस्कृति पर कड़ा कुठाराघात करता है। महोदया, कैस, जिसे विभिन्न नाम दिए गए, वह उस वैक्सीन की तरह है, जो किसी बच्चे को, किसी बीमारी से बचाने से पूर्व लगाई जाती है। यह सैट अप बॉक्स अगर टी.वी. पर रखा जाता है, तो हम यह तय कर सकते हैं कि कौन सा चैनल हमारे घर में आएगा और कौन सा चैनल नही आएगा। कितने पैसे लगेगे, यह बाद की बात है। लेकिन जब मां-बाप बच्चे को डॉक्टर के पास इंजेक्शन दिलाने के लिए जाते हैं तो बच्चा रोता है, बिलखता है। मां-बाप पैसा खर्च करते है और उस बच्चे को वैक्सीन दिलाते हैं ताकि आने वाले समय में उस बच्चे को कोई बीमारी न लगे। इसी तरह आज हमारे समाज को इस सांस्कृतिक आक्रमण से बचाने के लिए कैस की जरूरत है। जिस नीयत के साथ सरकार यह संशोधन लेकर आई थी, मुझे समझ मे नही आ रहा, इसे लगाने मे यह देरी और विलंब क्यो रहा?

उपसभापति महोदया, आजकल ये विदेशी चैनल हमें क्या परोस रहे हैं? हम बैठते तो हैं समाचार सुनने के लिए, लेकिन विज्ञापन आता है जांघिए और बनियान का। हम सुनना चाहते हैं देश की बात और ऐड आती है कि यह अंदर की बात है। हम बच्चो को कुछ और दिखाना चाहते हैं तो विज्ञापन आता है कि सब कुछ दिखता है। क्या दिखता है? सबसे बड़ी विडंबना तो यह है कि ब्रोडकास्टर जहां विज्ञापन देने वालो का शोषण कर रहे हैं, गलत आंकड़े देकर कि यह कितने लोगो को दिखाया जाता है, वही ये ऊल-जलूल विज्ञापन आम लोगो को देखने के लिए मजबूर कर रहे हैं। इसी मजबूरी से छुटकारा दिलाने के लिए इस संशोधन को लाया गया था और जिसे इसी सदन मे हमने सर्वसम्मति से पास किया था, लेकिन मुझे समझ मे नही आया कि अब 6 महीने के अंदर इस ध्यानाकर्षण प्रस्ताव के माध्यम से इस पर फिर से चर्चा क्यो? एक और नमूना विज्ञापन का देखिए। हिन्दुस्तान के कानून के मुताबिक शराब के विज्ञापन को नही दिखाया जाता, लेकिन हम बच्चो के साथ जब टी.वी. देखने बैठते हैं तो शराब की चुस्की से कैसे

औरत के तन से कपड़े घटते हैं, वह शर्मनाक दृश्य देखने को मिलता है। मैं माननीय मंत्री महोदय का ध्यान इस ओर दिलाना चाहूंगा और जानना चाहूंगा कि क्या वे ऐसे प्रावधान करेंगे, जिससे ऐसे विज्ञापनों को अपने घरों में प्रसारित करने से रोका जा सके? और, कुछ ऐसा इंतजाम करेंगे ताकि जो कामर्शियल चैनल, विदेशी चैनल हैं, जो विज्ञापनदाताओं से पैसा लेकर विज्ञापन देते हैं, वे फ्री टू एअर चैनल के सिस्टम को एडाप्ट करें और घरों में अपना मुफ्त कार्यक्रम दिखाएं।

माननीय उपसभापति महोदया, यहां पर सेट टॉप बाक्स की कीमत के बारे में बहुत बातें की गईं और यह भी विषय उठाया गया कि स्वदेशी कंपनियां इसे क्यों नहीं बनातीं। मैं आपके माध्यम से सदन के ध्यान मे यह बात लाना चाहता हूँ कि जब हिन्दुस्तान में टी.वी. आया था, जब हिन्दुस्तान मे सेलफोन आया था तो पहले उसको इंटरोड्यूस किया गया था, उसके बाद यहां पर टी.वी. और सेलफोन बनना शुरू हुए थे। अब जिस प्रकार से सेट टॉप बाक्स पर केन्द्रीय उत्पाद पर 16 प्रतिशत की छूट दी है और कलपुर्जों को आयात करने के लिए शुल्क 25 प्रतिशत से घटाकर 5 प्रतिशत किया है, इससे स्वदेशी कंपनियों को सेट टॉप बाक्स बनाने में मदद मिलेगी। मैं चाहता हूँ कि मंत्री महोदय इनके लिए ऐसा कुछ इंतजाम करें ताकि ये कंपनियां जल्द ही अपने उत्पाद को मार्केट में उतार सके।

उपसभापति महोदया, मैं जानता हूँ कि जब भी कोई चीज इन्टरोड्यूस की जाती है या लागू की जाती है तो उसका विरोध होता है, आलोचना होती है। जैसे पुराने जमाने मे लोग अफीम खाते थे। जब उन्हे अफीम खाने से रोका गया तो अफीम खाने वालों ने उसका प्रतिकार किया था क्योंकि वे नही जानते थे कि इससे उनकी सेहत पर पड़ने वाले दुष्परिणाम क्या होते है। मैं माननीय मंत्री जी से यही कहना चाहता हूँ कि हो सकता है आज आपको किसी तरह की आलोचना का सामना करना पड़े, लेकिन आने वाली हमारी जनरेशन्स आपको इस बात के लिए बधाई देगी कि किस प्रकार से आपने एक सांस्कृतिक प्रदूषण को बढ़ने से रोका। आज जिस तरीके से विदेशी कंपनियों का चक्रव्यूह हिन्दुस्तान की संस्कृति को प्रदूषित करने के लिए लगा हुआ है, इसके लिए मैं आपसे निवेदन करता हूँ कि अभिमन्यु की तरह आप इस चक्रव्यूह को तोड़ने का प्रयास करें। पूरा देश और पूरा समाज आपके साथ है। धन्यवाद। जयहिंद।

उपसभापति : पर अभिमन्यु की तरह इनका हश्र न हो। यह विश मत करिए मंत्री जी को।

मंत्री जी, इन्होंने एक सवाल बहुत अहम उठाया कि जो चैनल पे चैनल होते हैं, उन पर ऐडवरटाइज़मेंट आती हैं तो वे रेविन्यू दो तरह से कलैक्ट करते हैं - एक पेमेंट के तौर पर जो दिया जाता है उनको और एक ऐडवरटाइज़मेट के तौर पर। क्या विदेश में किसी जगह भी ऐसी डुअल पॉलिसी है कि दोनो तरह से वे रेविन्यू कलैक्ट करें या नहीं? इसके बारे में भी आप जरा बता दीजिएगा। अब आप अपनी रिप्लाई शुरू कर दीजिए।

श्री लालू प्रसाद : महोदया, अभी माननीय सदस्य, श्री कृपाल परमार बोल रहे थे, इन्होने मंत्री जी को कहा कि अभिमन्यु की तरह काम करिए। तो अभिमन्यु तो चक्र मे फंसकर चक्रव्यूह मे मारा गया था।

श्री कृपाल परमार : ये पूरे हिन्दुस्तान के चक्रव्यूह को तोड़कर निकलेंगे।

श्री रवि शंकर प्रसाद : आप जानते हैं "रवि शंकर" किसी चक्रव्यूह में नहीं फंसता है। Madam, I am, indeed, very grateful for a very enlightening and informing debate for the last more than three hours. So many speakers have spoken; all shades of opinion have come; and I wish to convey to this august House that not only have I been benefited but even my officers, who are present here, have also learnt a lot in order to make the whole system more friendly in terms of implementation.

Madam, let me begin with the observation of the hon. Member, Shri Suresh Pachouri, as to what is the size of the television industry in India. He has raised a very relevant point. *The Economic Times* does a survey; and, on entertainment, they have written a very exhaustive story. The book is here with me. In the year 2000, the size of television industry was worth Rs.8000 crores. By the year 2005, it is going to become worth Rs.32,000 crores. The rate of growth is 31 per cent. Therefore, this is one of the fastest growing service sectors in the country. We need to understand it. Our esteemed friend, Shri Sanjay Nirupam, was talking about the Cable Operators; yes, I salute them. In the year 1991, by their enterprise, they brought cable into our homes. Today, they are growing phenomenally. So far as their numbers are concerned, I think, Mr. Panda has already shared them with the House. But certain interesting developments are equally important. In this whole progress and speed of development, the consumers have taken a back-seat. You asked me the question as to what had been the nature of rise in the channel rates. You must understand one thing. As of now, the consumer does not know, how much he is paying for what. A particular book is shown to him; somewhere it is Rs.50; somewhere, Rs.70, and somewhere, Rs.90; and he has to pay whatever is demanded. He does not know. But we tried to know from cable operators as to what had been the rise. Let me share with you some specific information. The rate of one particular pay-channel, which was Rs. 2.50 in 1996, has become Rs.40 in December, 2002. In the case of the other pay channel - I will not name it - what was Rs.4 in March, 1997 became Rs.50 in January. Over six years, the rise has been to the extent of 1100 per cent, 1200 per cent, or, 1400 per cent. At the same time, I also tried to know as to what has been the experience in the other countries, and, Madam, this is a very interesting information that I got. In USA, in the last twenty years, the rise has been only three times. That is

the difference. In 1982, the average cable rate was eight Dollars. In 2002, after twenty years, it is 33 Dollars.

SHRI PREM CHAND GUPTA (Bihar) : Would you ensure, and would you give an undertaking to the House, that there would be no rise in the next twenty years?

SHRI RAVI SHANKAR PRASAD: Please. Let me speak.

SHRI PREM CHAND GUPTA: You are citing the example of USA....

SHRI RAVI SHANKAR PRASAD: Guptaji, let me speak. Please. Now, Madam, why has this been there? That is because the consumer has no choice. What does CAS do? CAS technologically empowers every consumer to see what he wants to see, to pay what he will like to pay, and once the decision-making power comes to the consumer, the content-provider, the broadcasters, would become more consumer-friendly; the wholesaler, the MSOs, will become more consumer-friendly; the cable operator will be forced to become more consumer-friendly. That is, the experience has shown. Madam, here I want to make a statement about an issue of fundamental importance. We are in a democracy. Today, we are in power here. Tomorrow, you can come in power here. But, one lesson we are learning; and what is that? Don't stop the march of technology, because technology always brings smile on the faces of the people. You can only delay; you cannot stop it. My esteemed colleague, Shri Suresh Pachouri is here. I am sure he must have been in this House when computer was introduced by Rajiv Gandhi in 80s'. There was opposition to it. Maybe, from our side, who were then there, had also opposed it. लोगो की नौकरी खत्म हो जाएगी। लालटेन की जरूरत है, बैलगाड़ी चाहिए, रोटी चाहिए। कहां से यह कंप्यूटर आ रहा है? What happened? Very soon, computer established three things - (a) as an instrument of knowledge; (b) as a vehicle of communication; (c) as a great platform for employment generation. Today, if any politician tells in the country that he would withdraw computer, I am sure, he will never say that.

Take the second instance of technology - IT. When the Government of Shri Atal Bihari Vajpayeeji started giving sops to IT, there was opposition. They said, "Give it to the farmer. Why are you so IT-friendly?" IT came to be established as a good tool of development. And

that one symbol chip which President Clinton took away in Washington which was given to him by the cooperative workers of Rajasthan as the biggest gift, he retained.

Take the third example of mobile revolution which came about. When we converted from licence fee to revenue sharing, there was so much of opposition and so many charges of corruption were levelled. We held on. What happened? Today, there is a trend to reduce the prices. Hon. Members, please remember one thing. When the mobile came, it was very big. Incoming call was Rs.16 per minute. Once competition came about, today every consumer has forgotten it. They know that incoming calls shall be free. When you allow technology to develop, technology brings smile and reduces the cost. Madam, see one more interesting fact. Earlier the mobile was very big. Then, came a small mobile. Then came a mobile with a range of sound; then came a mobile with E-mail thereon; then, came a mobile with photograph thereon, and today, there comes a mobile with office secretary thereon. That is the march of technology. Therefore, I appeal to this hon. House that CAS is nothing but a technological empowerment to every household and this would indeed bring a revolution.

Hon. Sarlaji is here. She asked me a question. What kind of value-added service would be given? I was just trying to go through the literature. Here, I got a very famous article in the *Business Standard* magazine. It says, "Forget CAS, look at VAT - Value Added Tax - what will come about? Film on demand; programme on demand; tuition on demand; conference on demand; many a people are thinking of banking on demand." Therefore, every household will become technologically empowered, and the great inter-operability of India can experiment many things, that will come about.

Now, come to the second issue. There are two components. Free-to-air and pay channels. Madam, I will take up issue by issue, and I will also try to meet the specific queries. A lot of Members spoke about free-to-air channels. Yes, in law, the Government has got the power. I have explained in my statement itself that the Task-Force was constituted. We consulted the Cost Accounts Branch of the Finance Ministry. We also had the survey by ORG-MARG. We came to a conclusion. Why is the number of free to air channels is 30? Because, Madam, at that point of time, only 35 free to air channels were available. In the law, if the minimum has been fixed, if you don't comply with that, you may have to suffer. Yes, when we had gone for

a television survey in the country, we learnt to our pleasant surprise and also to our concern that 64 per cent of televisions in this country were black and white. In four metros alone, 43 per cent televisions are black and white. That is the scenario. *Panwala, rickshawwala, subziwala*, in the hutments, all of them are comfortable with 10-12 channels. They see some video channels, some music channels, some pop, some films and the Doordarshan news. That is all....*(Interruptions)*...Madam, this is the scenario. Therefore, we said that free-to-air package shall be priced at Rs.72. Thirty is the minimum; there is no outer limit, and the money is fixed at Rs.72. Therefore, this is very important to be appreciated. Taking into account the whole scenario, Rs.72 has been fixed for 30 channels. But, there is no bar. Therefore, I have stated it in my statement also. Let me state here also, Madam, many MSOs have already confirmed to us in writing that they shall be showing 60, 60, 70, 80 free-to-air channels on the same price line. If a question is asked to me as to what those channels are, in fact, hon. Shri Sanjay Nirpuam asked; I would like to say that all the news channels are free-to-air. They also include Aaj Tak, NDTV English and NDTV Hindi, Sahara Samay, Headlines Today, Jain, Star News, Al Jazeera, CNN. The music channels are Zee Music, CMM Music, B4U, etc, MTv, Balle Balle. There are film channels. Then, all the religious channels like Sanskar, Astha, Sadhana. English channels like FTv, MTv, Nicholson, MCM, TV and Channel Guide. Then, SAB TV, Sahara Manoranjan, DD National, DD Metro, DD Bharati; about ten channels are there.

The point is, what is not there? Today, a lot many of the existing pay channels can become free-to-air. They will come there. Therefore, what is the first point? I want the House to know that for free-to-air channels, you don't need a set top box. We don't want to impose set top boxes. Our assessment is, close to 50 per cent of the television homes will see only free-to-air channels without set top boxes. That is very important. In fact, I tried to gather information on the worldwide trend, Madam. In Brazil, it is quite close to India in terms of ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Don't interrupt his speech. Let him answer.

SHRI RAVI SHANKAR PRASAD: In Brazil, Madam, only 27 per cent people see pay channels. Once CAS comes about, people will decide the choice. If people say, "We are happy with free-to-air", it is fine for us. If they

want to see the pay channels, they will then go for set top boxes. Therefore, Madam, we have taken adequate care by making available sufficient number of free-to-air channels. People can see channels in Rs.72 plus taxes a good number of free-to-air channels. I am quite sure that close to 40 to 60 per cent of the people may go only for free-to-air channels. Once that happens, Madam, a competition would come among the pay channels. If they have to win the people, they have to reduce the price. If they have to win the cable homes, they will have to go in for more creativity. Then, like in mobile, a competition will come and prices would automatically come down, as they have come down in the mobile, as they have come down in computers, as they have come down in the whole range of goods. That is what happens when a competition comes about. The consumer becomes the king. That is the logic and empirical experience which we are having.

Madam, having come to that, a lot of argument has been made about the set top boxes. I would have taken all the queries of Shri Sanjay Nirupam. But, since this concern was expressed by other Members as well, I want to explain that. Madam, the total cable homes in the four metropolitan cities is 65 lakhs, if we include the satellite towns too. If we take into account only the main cities of Delhi, Kokata, Chennai and Mumbai, it is about 46 lakhs. Our estimate is, as on 1st September, hardly 15-20 per cent of the consumers will go in for set top boxes. That would be 2.83 lakhs only, zonewise. Why we went in for zones? We examined the matter. We discussed on what to do if set top boxes are not available.

Now, they have become available. We talked to MSOs, to the cable operators, to the consumer groups and we stated that we will go in phases. Chennai said, as you also have rightly said, "We will take care of all in one go." We said, "Fine. If you can do it, no problem." But the point is, only 2.83 consumers, around 20 per cent will take the set top boxes. Now, as on 1st September, only a maximum of 5 lakh pieces are likely to be imported. One lakh pieces means Rs. 30 crores. 5 lakhs means Rs.150 crores. Even assuming, for the sake of an argument, that the notional duty deduction is there, it is at best Rs.70 crores! Compare this figure with the figures quoted by hon. Members--Rs. 2,000 crores, Rs.2,400 crores, Rs.1,800 crores, Rs. 3,000 crores! With greatest respect to all the hon. Members, I would like to say that their figures are not only incorrect, but also totally misleading.

I would like to inform the hon. House about another thing. They talked about indigenous manufacturing. We are in constant touch with them. We have had five meetings with them. They said with folded hands, "Mr. Minister, Mr. Officer, don't stop CAS, because if you stop CAS, you will not be able to manufacture them. If you want us to manufacture them, for the other areas and all metros and other parts of the country, allow CAS to operate." Madam, there is a point. Hon. Shri Suresh Pachouri would recall that when colour television came to India, in the initial two years, it was put at outside in a knocked down condition. You might recall that we had colour televisions of Keltron, Deltron, Uptron, etc. Thereafter, the entire colour television revolution took place. Remember mobile phone. When mobile phone came in the mid-90s, sets were, mostly, imported. Thereafter, it picked up. This is also a tradition of our country that whenever any new item is introduced, people see as to whether there is a market for that. People see as to whether a future is there for that product. But, once that starts, I am quite sure, from Chandini Chowk to Ludhiana to Karol Bagh, the Set Top Box industry will boom like anything and, I am quite sure, that Rs. 50,000 crores worth of indigenous industry would come about.

SHRI PREM CHAND GUPTA: Mr. Minister, here, you are mistaken. I am sorry...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: Madam, I am not yielding...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Mr. Gupta, do not interrupt him ...(*Interruptions*)...Please sit down...(*Interruptions*)...You don't have to reply to him. You continue your reply...(*Interruptions*)...One should not interrupt...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: Mr. Gupta, I need your point ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Please sit down...(*Interruptions*)...It is not going on record...(*Interruptions*)...

SHRI PREM CHAND GUPTA: ‡

उपसभापति : आप बोलिए, मुझे इसे खत्म करना है।

SHRI RAVI SHANKAR PRASAD: The point is, it will lead to a great electronic revolution in the country. We want to usher in that. Let me assure this hon. House that we have also given duty concessions to the indigenous manufacturers. The Central Excise duty -- 16 per cent -- has completely been waived. Even, the duty concession has been extended on equipment that has been imported. Therefore, once it starts rolling out, a lot of initiative will come about and there shall be a revolution in the country in terms of electronic industry.

Now, Madam, certain specific queries have been made. Hon. Shri Sanjay Nirupam raised about some technical points. He spoke about the security clearance to Sim Card and the need for communication confidentiality. I have the highest regard for him and his knowledge. But, Madam, is Sim Card a new thing in India? Today, Sim Card is there on the credit card. You go to a tele-banking, you use Sim Card there. When you use Credit and Debit Card, you have Sim Card there. So, all these things have the Sim Card. Does security concern not come there? Why should this concern be there only in the case of Set Top Box?

श्री संजय निरुपम : क्योंकि उससे टेली कम्यूनीकेशन नेटवर्क नहीं बन रहा है।

SHRI RAVI SHANKAR PRASAD: Just a minute...*(Interruptions)*... Mobile phone is also there ...*(Interruptions)*...Internet is also there ...*(Interruptions)*...

श्री संजय निरुपम : मैडम, मंत्री महोदय आरोप लगा रहे हैं कि मैंने मिस गाइड किया, मिसलीड किया। उनको भी मिसगाइड करने का कोई अधिकार नहीं है। ...**(व्यवधान)**... क्रेडिट कार्ड से कोई टेलीकम्यूनीकेशन सिस्टम नहीं बनता। ...**(व्यवधान)**...

श्री रवि शंकर प्रसाद : मैंने यह नहीं कहा।

उपसभापति : आप बैठिए।

‡ Not recorded.

श्री संजय निरुपम : मुझे मालूम है सिम कार्ड कितना ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: Mr. Nirupam, please sit down ...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: Madam, I am not yielding...(*Interruptions*)...

THE DEPUTY CHAIRMAN: You don't yield...(*Interruptions*)...I am not allowing any interruption...(*Interruptions*)...Please sit down.

SHRI PREM CHAND GUPTA: Madam, actually, the point is...

THE DEPUTY CHAIRMAN: No. You were not here in the House when the discussion took place. You don't know about the discussion ...(*Interruptions*)...You did not participate in the discussion ...(*Interruptions*)...Please sit down.

SHRI RAVI SHANKAR PRASAD: Madam, I should be allowed to speak...(*Interruptions*)... Therefore, this Sim Card technology with regard to confidentiality of any communication is absolutely, I would say, with great respect to him, is not correct. But, having said that, let me assure the hon. Member, that since he has raised this issue twice, though I have given instances, I will convey the same to the Ministry of Home Affairs that it should also apply its mind to it. Whenever any Set Top Box is imported, the customs laws have got their 'dos' and 'don'ts' with regard to security clearance. They have given the certificate. Madam, 1,07,000 Set Top Boxes are available.

Now, I come to the second aspect of it, namely inter-operability. I appreciate my friend, Mr. Panda's explanation. I also tried to know. This whole inscription technology is patented world over. There are six companies which have got the patent on this inscription technology. I just wanted to convey...

श्री सुरेश पचौरी : महोदया, मंत्री महोदय पॉकेट मे क्या-क्या रखकर लाए हैं?

श्री रवि शंकर प्रसाद : सुरेश जी, मैं आगे से ध्यान मे रखूंगा और फाइल मे रखूंगा।

श्री प्रेम गुप्ता : पॉकेट मे रखते हैं तो फिर आपको सबका ख्याल रखना चाहिए।

SHRI RAVI SHANKAR PRASAD: They are: Channel Plus, Scientific Atlanta, NDS, IREDO, Connex and Nagra Vision. All these companies patented inscription technology world over. All have their propriety and patent. In Europe, at a modest level, inter-operability was tried. It turned out to be a very costly and the attempt was left out. Even our own Task Force contacted our electronic people, Doordarshan, etc. They also stated that it is not in-thing world over. But, Madam, let me assure Shri Sanjay Nirupam that I have already asked my officers to contact the IIT and other people. But, as of now, in India inter-operable set-top box software is not commercially available. I have asked them to work it out. Our officers are in touch with them. And, I am quite sure that the great entrepreneurial ability of Indian scientists will be the first in the world to find inter-operability, in India. We shall completely allow that to happen. But, as of now, the world over, the inter-operability is not there. But this can happen only -- Sanjayji will appreciate -- when the CAS starts rolling; once the mechanism starts rolling, or, the other technological advances start taking place simultaneously. That is very important. Madam, if that happens, what care we have taken. The set-top boxes are there. These are available on rent also. If you are leaving a particular area, you can leave your set-top box there. You can take back your security. If you go to Bombay, take another set-top box. We have made the rules, whereunder the entire obligation to maintain and service the set-top box is upon the cable operators. That care we have taken. And, we would further like to be guided by you. But, as of now, because of this problem of inter-operability, we have started taking care that the consumers are not forced to purchase set-top boxes. Consumers can take it on rent, after depositing the security. If a consumer leaves his area, he can return the set-top box and take his security back. Therefore, all these provisions have been thought of only with a view to make the CAS more consumer-friendly.

Madam, a question was being repeatedly put कि आपने बढ़ा क्यों दिया? इसलिए बढ़ाया कि कंज्यूमर्स की चिंता कम नहीं थी। एक बार जुलाई में मैंने इस बात को देखा कि पर्याप्त संख्या मे सेट टॉप बाक्स उपलब्ध नहीं हैं। इसलिए मुझे यह करना पड़ा कि जनता को परेशानी न हो। आज की तारीख मे एक सितम्बर से सेट टॉप बाक्स उपलब्ध हैं। Then, there was a talk about analogue and digital. Madam, we have been very clear that the people must have a choice of technology also. If, even in the 21st century, people can be happy with a black and white television, why should

we force them with digital set-top boxes? Suppose they are happy with analogue; it is fine. They want digital; it is fine. Let the consumer become the king. That is what our approach has been. Secondly, it is very important that set-top boxes are being manufactured in a big manner. The prices would go down. Hon. Suresh Pachouriji, you put me a question.

श्री लालू प्रसाद : बाक्स की महिमा पर बोलो कि बाक्स क्या काम करेगा?...**(व्यवधान)**...

श्री रवि शंकर प्रसाद : साढ़े तीन घंटे की बहस में हमको आधा घंटा भी नही देगे? You put me a question about that. I crosschecked that. Hon. Sushmaji, when she was Information & Broadcasting Minister, had stated earlier that in case the set-top boxes are manufactured in the number of 10-15 lakhs, the prices will go down to Rs. 1500/-, or, may be to Rs. 1,000/-. That is what our experience has been. The bulk will determine the prices. India's huge market of cable television would drive technology in a consumer-friendly way, I am quite sure, in the light of past experiences.

Madam, hon. Kapil Sibal talked about prying in every home, in terms of returns. ...*(Interruptions)*...

SHRI KAPIL SIBAL: I never used that expression...*(Interruptions)*... Of course, you do...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: You had, probably, used that. ...*(Interruptions)*...All right, the intention was the same. ...*(Interruptions)*...

SHRI KAPIL SIBAL: No; no, that was never my point. Somebody else might have...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, let me assure you, if pay channel becomes a reality through set-top box -- every political party is in power, at some place or the other -- the revenue of the Government will rise phenomenally. A conservative estimate -- not by an organized study -- shows that the Government's income from revenue of taxation itself would come to about Rs. 3,000-5,000 crores. That will happen. Now, what provisions have we made? We have only asked them to file returns. ...*(Interruptions)*...

श्री प्रेम गुप्ता : स्टेट को इसमे कितना मिलेगा?...**(व्यवधान)**...

श्री रवि शंकर प्रसाद : जो आपका इन्टरटेनमेंट टैक्स है, आपको मिलेगा। इन्टरटेनमेंट स्टेट सब्जेक्ट है। गुप्ता जी आप इतने बड़े अनुभवी हैं, व्यवसायी हैं। ...**(व्यवधान)**...

श्री लालू प्रसाद : अरे, यहां तो राजीव शुक्ल जी उकसा रहे हैं।...**(व्यवधान)**...

SHRI RAVI SHANKAR PRASAD: Madam, hon. Kapil Sibalji is not only a senior advocate of eminence, but also a well-known jurist. He very well knows that every Government has a provision for taxation. The sales-tax returns are filed at the State-Government level; the income-tax returns are filed at the Central Government level. Should we say, only because the Government of NDA asked for a return of income tax, that the Government of India is influencing the tax-return assesses? No. If a State Government is seeking return on sales tax from the businessmen, should we argue that the Government may try to influence all the businessmen? This return deposit is integral to any law when you want to bring about transparency. It is only in that context that the whole system has been introduced.

Hon. Shri Fali Nariman asked me about the quality of service being provided by the cable operators. I am indeed grateful to him that he has raised this issue; it is equally important. Madam, what the CAS is doing is this. It has been installed in many homes, and the quality of reception is improving 10 to 20 times. In fact, yesterday, our officers had gone to Mumbai. I had asked them to, specifically, visit the *jhuggi- jompri* areas where it has been installed. And they stated that even in the 1982 Model Bush Television -- they had taken Set Top Boxes there -- the reception has improved. This technology would also help in improving the reception. Having said that; what the CAS does is this. We have set up a monitoring mechanism. There is power of police available under the law. This is a cognisable offence. If the quality of service is very wavering, I would like to inform the hon. Member that for the quality of service, the cable operator can't be always blamed. And in many cases, the entire technology is available. Why is CAS important? Every stakeholder would try to upgrade the technology. Madam, an issue was raised by hon. Shri Sanjay Nirupamji.

SHRI KAPIL SIBAL: Mr. Minister, can you tell us what is this Bush Television? It is very interesting. Are you embracing it?

SHRI RAVI SHANKAR PRASAD: You might recall Bush Television and Bush Radio.

SHRI KAPIL SIBAL: Oh, okay, okay, it is that 'Bush'!

THE DEPUTY CHAIRMAN: It is not beating about the bush.

SHRI RAVI SHANKAR PRASAD: Madam, hon. Shri Sanjay Nirupamji talked about the MSO becoming a monopolist. I would like to inform the hon. Member that there are four stakeholders. The Broadcaster is the manufacturer; the MSO is the wholesaler, and the Cable Operator is the retailer. That is a simple business module, and this business stands everywhere. Once the whole system starts operating, many more players will come. Why have we got the DTH? If the DTH is there, it is without cable. CAS is there; free-to-air is there. The consumer is having a choice. If your cable is not fine, you can say that I am going in for DTH. If DTH is not comfortable, I can revert to CAS. Today, when the consumer is forced to see everything, Madam, the world over, DTH is co-existing with CAS. And, in India, if in the 21st Century, 64 per cent TV can be Black and White, I want to assure you that cable would remain the means of viewing of entertainment for the very common man. The DTH may be a little on the higher side. But the point is, people must have the widest choice of technology. Madam, he talked about the rates of pay. Certain rates have been announced. We are working on them. Here I want to inform the hon. House that when this law was framed, we thought that the stakeholder would cooperate. He talked about the cable operators opposing it. Today, even the cable operators want to implement the CAS. If there is a deferment, the cable operators come to me and say, 'Mr. Minister, don't defer it.' Yes, there is a wide divide; MSOs/Cable operators, MSOs/Broadcasters, Broadcasters/Cable operators. And, unfortunately, there is a wide cleavage. And this cleavage has been existing because a lot of under reporting has been there. This cleavage has been existing because the business relationship has not been transparent. By CAS, we are making it transparent. In the process of making it transparent, a lot of issues are taking shape. Yes, if need be, we will take other adequate steps also because we are aware of the entire situation.

Madam, my friend, Mr. Raju Parmar, talked about the advertizement part of it. Madam, you also mentioned that. Madam, we

5.00 P.M.

have a point. This issue was brought to my notice by many other consumer groups. When we want to see pay channels, why should we pay for the advertisements which we don't want to see? There is a trend in America, there is a trend in England, that pay channels don't contain advertisements. In certain situations, timings are fixed; that you cannot show for more than five or seven minutes per hour or something like that. Madam, this issue has been brought to my notice. We are open to suggestions, and we shall try to consider, after consultations, as to what can be best done in the given Indian conditions. But this concern is being repeated to me from time to time.

THE DEPUTY CHAIRMAN: This will also affect the consumers.

SHRI RAVI SHANKAR PRASAD: Yes; yes, Madam. There is only one more issue. When I think of it, some people say that it is my fundamental right to do business..., article 19, freedom of expression. I countered, if you have got the right to create, the people also have got the fundamental right to see, and they cannot be forced to see what they don't want to see. Therefore, a blend will have to be found out. We will have to work it out.

THE DEPUTY CHAIRMAN: I am sorry to say this, but the consumer pays to the pay channel a fixed amount of money to watch certain programmes. Why should the consumer be forced to see something else? Mr. Parmar said, अन्दर की बात। I don't want to ...(*Interruptions*)...

श्री संजय निरुपम : CAS आने के बाद अन्दर की बात को नहीं रोका जा सकता। वह बाहर आने वाली नहीं है।

THE DEPUTY CHAIRMAN: Why should anybody be forced to see that...(*Interruptions*)...That is why, it is for the Minister to answer and take care. Whatever is the case, I am not talking about any case, I am talking as a consumer, I am also a consumer and I have a right to ask him.

श्री संजय निरुपम : मैडम, मंत्री जी ने कहा कि केबल आपरेटर्ज सपोर्ट कर रहे हैं, लेकिन मेरे पास केबल आपरेटर का एक निवेदन है ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: It does not mean that I have opened the discussion again...(*Interruptions*)...Please .sit down...(*Interruptions*)...Please take your seat.

श्री संजय निरुपम : इस पर देश के केबल आपरेटर्ज़ विरोध कर रहे हैं। ...**(व्यवधान)**... उसका एक निवेदन मेरे ख्याल से काफी है ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: I am not permitting you. You can hand it over to the Minister.

SHRI RAVI SHANKAR PRASAD: Madam, I only said that because the people are paying free-to-air flat, the whole obligation of determining the quality, content and breach of advertisement on a pay channel arises only because for pay channels, the consumer is paying separately. But I quite see the point which the hon. Deputy Chairman has made; we will have to consider it. I only wish to assure this hon. House that let CAS start rolling. I will say, there may be minor irritants- in everything they are there - but I have not the slightest doubt that by the technological empowerment in every household, CAS would bring a smile on the face of every consumer, and the Set-top Box would not only become an instrument of covergence but also become a great value added service. And let me tell you, once the cable operators, and the MSOs come to know that now the consumer has become more demanding, like mobiles, when they are coming with fax, e-mail on mobile, like photograph on mobile; in the same way, the value added service will start coming all the more. All this technological explosion on the horizon would stop.

SHRI NILOTPAL BASU: Mr. Minister, will you yield for a moment?

THE DEPUTY CHAIRMAN: Let him finish...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: Madam, I will just take five minutes. Let me complete.

THE DEPUTY CHAIRMAN: Okay. You complete. ...(*Interruptions*)... No, let him conclude.

SHRI RAVI SHANKAR PRASAD: Madam, I am not yielding...(*Interruptions*)...

THE DEPUTY CHAIRMAN: He is not yielding...(*Interruptions*)...

SHRI RAVI SHANKAR PRASAD: Therefore, Madam, all this would stop if we stop CAS. Therefore, I would urge this hon. House, yes; there have been misinformation; yes, there has been disinformation, partly motivated, partly because of ignorance, because the new technology was coming about. But, as the House of Elders, as the leaders of the society, I would request to allow this march to go on as this is the march of technology. This march would bring a smile on the face of every consumer. This is what I would like to request. Madam, the last thing is about the uplinking part, because a lot of arguments have been made. ...(*Interruptions*)...

श्री लालू प्रसाद : देश का पैसा विदेश भेज रहे हो, क्या यह क्रांति है?

श्री रवि शंकर प्रसाद : मैंने उत्तर दे दिया है, लालू जी। As far as the uplinking part is concerned, I would request that when Star gave an application, - because names have been taken, I am stating that - it was a simple application. Queries were made; seven letters were sent; forty-six questions were raised. Today, a lot of things have been stated by hon. Shri Ramachandraiahji and others. From where have these queries come about? After all, these queries have been raised by my office. My officers were considering the entire case, and, thereafter, all the details have come about. Therefore, a very fair, transparent consideration is going on. Since the matter is under consideration, I do not want to say anything further because it would not be fair, but I quite appreciate hon. Ramachandraiahji's justification...(*Interruptions*)...

SHRI C. RAMACHANDRAIAH: What is the justification in continuously postponing this? ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Please, if there is any interruption, it will not be recorded. So there is no point...(*Interruptions*)...So, let him answer.

SHRI KAPIL SIBAL: Is the matter under consideration or is there consideration under the matter?

SHRI RAVI SHANKAR PRASAD: I am quite sure that you are not saying it quite seriously...(*Interruptions*)...

SHRI C. RAMACHANDRAIAH: When a particular application has not qualified, why don't you reject it? What is the point in continuously postponing this?

SHRI RAVI SHANKAR PRASAD: Yes; I am coming to that. Now, Madam, the position is, this raises a serious fundamental issue. Bulky documents have been given. We have constituted an inter-Ministerial Group because, the matter also pertains to the Department of Company Affairs, Department of Law, Department of I&B. And, Madam, kindly appreciate one thing. If we are considering the matter, it will be a fair consideration, without bias, but keeping the letter and spirit of the entire guideline of uplinking. Madam, should I stop them completely midway? After all, I have to be seen fair as well. If the consideration is going on, and we have not come to a final conclusion, how can I switch them off? I think, hon. Mr. Ramachandraiah, who is otherwise a very esteemed Member would appreciate that when the consideration is going on, I will have to be fair as far as that continuity part is concerned.

SHRI C. RAMACHANDRAIAH: You should be fair in continuously giving extensions. Is it fairness on your part? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: I did not say that. ...*(Interruptions)*...

SHRI C. RAMACHANDRAIAH: Are you questioning our wisdom to question you? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: I did not say that. I never said that. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: I will tell the hon. Member to realise that we have had a four-hour discussion, and we are going to sit through, and you are going to sit through. ...*(Interruptions)*...And, those who are interrupting, I will see that they sit through. ...*(Interruptions)*...We are going to have a discussion. ...*(Interruptions)*... Please.

श्री प्रेम गुप्ता : अपोजीशन मे बैठे हैं तो कुछ बोले तो सही।...**(व्यवधान)**... We are performing our part. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Gupta, had you given your name at the right time on behalf of your Party, you would have been allowed. ...(*Interruptions*)...But this is not done. ...(*Interruptions*)...No; no; there are certain rules. Please sit down. ...(*Interruptions*)...Give him the Rule Book. Let him read the rules. ...(*Interruptions*)...He is a senior Member, he should know what are the rules and regulations.

SHRI RAVI SHANKAR PRASAD: Madam, my hon. friends, Shri Suresh Pachouri and Shri Eduardo Faleiro, have raised an issue as to why a distinction was there in the print guideline and in the television guideline. Madam, this was an issue, and I must say, he has raised a very valid point. When we were considering the print guideline, we were coming from a closed regime to an open regime. Newsprint has no foreign investment. Remember it. It was completely closed. From closed to an open regime, we are coming. In television, by the policy of 2000, we had given uplinking regardless of equity. Therefore, from an open regime, we were coming to a closed regime. Therefore, the context was completely different. Secondly, the dominant partner, which is there in newspaper, one family, one individual, is not there in the television sector. These two issues were there. And, thirdly, a concern was expressed by many of the newspaper owners that the kind of guideline you are having would not bring any foreign equity. These three issues were there. But, I want to tell this House that the entire matter is under consideration. If we feel that to achieve the objective of this guideline, in the shape of whole eligibility criteria, certain more tightening up is needed, we are quite open to that. I want to tell this House very clearly. Madam, I am grateful that the House has reposed their trust in me while putting their queries. I am aware of my responsibility. Fairest possible consideration shall be given, and every effort shall be made to ensure that the editorial control of Indian and other considerations, which are relevant, shall be maintained. I am grateful, Madam, for it. ...(*Interruptions*)...

THE DEPUTY CHAIRMAN: Now, we will take up the Central Vigilance Commission Bill, 2003. ...(*Interruptions*)...

श्रीमती सरला माहेश्वरी : मैडम, ...**(व्यवधान)**...

SHRI KAPIL SIBAL: What about Section 4? ...(*Interruptions*)...

श्री रवि शंकर प्रसाद : मैं आ रहा हूँ उस पर। आपका जवाब दे रहा हूँ। ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: I am moving to another Business. I gave you enough time to speak, Mr. Minister. ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, just two minutes. ...*(Interruptions)*...**मैं आ रहा हूँ उस पर। आपका जवाब दे रहा हूँ।** ...**(व्यवधान)**... Madam, the regulatory authority plea is well taken. I had stated earlier also that I do understand the need for a regulatory authority. The DTH is rising, cable is rising, stake-holders are clashing, which we have experienced in the implementation of CAS. There is need for a regulator. But that being the case, hon. Shri Sibal would realise that, as of now, under the Convergence Act we had a common regulator, both for carriage and content. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Is it over? ...*(Interruptions)*...

SHRI RAVI SHANKAR PRASAD: Madam, we are consulting the matter with the Government, and we will come to a conclusion. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Mr. Minister, I have to finish your Business, and have to go along. I have got two legislations. ...(Interruptions)... Order in the House, please. Now, we take up the Central Vigilance Commission Bill, 2003. ...*(Interruptions)*...

SHRI C. RAMACHANDRAIAH: The purpose of entire exercise is being defeated. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: Which one ...*(Interruptions)*...

श्री संजय निरूपम : मैडम, 12 बजे से इस विषय पर चर्चा करने का क्या अर्थ हुआ, अगर सही ढंग से जवाब न आए तो?...**(व्यवधान)**...

THE DEPUTY CHAIRMAN: I do not know. I am not the Judge. ...*(Interruptions)*...

श्री संजय निरूपम : फिर अगली बार इन विषयो पर आप अनुमति न दिया करे ताकि हम न बोले। ...**(व्यवधान)**... मैडम, हमारे बोलने का मतलब क्या हुआ? ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN : I have to take up another business now. Please, take your seats...*(Interruptions)*...Please, sit down. The Central Vigilance Commission Bill, 2003...*(Interruptions)*...

SHRI NILOTPAL BASU : Madam, we request you to protect the Members. None of the questions have been answered by the hon. Minister...*(Interruptions)*...

SHRI KAPIL SIBAL : This is not fair. We are walking out.

[At this stage, some hon. Members left the Chamber.]

THE DEPUTY CHAIRMAN : Please, sit down. Please, take your seats...*(Interruptions)*...See, generally the...*(Interruptions)*...take your seat, please. Mr. Nilotpal Basu, will you please, pay attention? One hour is generally given for discussion on a Calling Attention Motion. Considering the importance of the matter, the hon. Chairman allowed two hours for discussion. Considering your concern, it was extended to four hours. Now, no more time can be allowed. I have to do some business, which you promised that you would finish. Now, let us take up the Central Vigilance Commission Bill, 2003. Shri Harin Pathak...*(Interruptions)*...

SHRI PREM CHAND GUPTA : If we seek some clarification on the hon. Minister's speech, we should be allowed to put the questions...*(Interruptions)*...

श्री लालू प्रसाद : हम वाक-आऊट करते हैं। ...**(व्यवधान)**... कोई जवाब नहीं आया, इसलिए हम वाक-आऊट करते हैं। ...**(व्यवधान)**...

श्रीमती सरला माहेश्वरी : हम भी वाक-आऊट करते हैं। ...**(व्यवधान)**...

[तत्पश्चात कई माननीय सदस्य सदन से उठकर बाहर चले गए।]

GOVERNMENT BILL

The Central Vigilance Commission Bill, 2003

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL,